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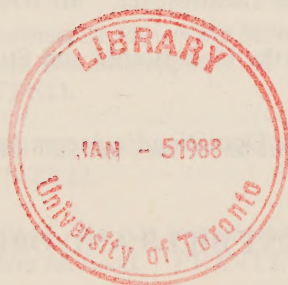
Government  
Publications

62

No. 25

# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
**Thursday, December 17, 1987**

## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand).*\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître.*\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître.*
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître.*\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye.*
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.*\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara.*
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye.*
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye.*
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye.*

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.*  
**IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**
- Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.*
30. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.*

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\*Lieutenant Governor's Recommendation received.

31. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.*
32. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.*
33. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.*
34. *Second Reading* Bill 79, An Act to amend the Legislative Assembly Act. *Mr Conway. PRINTED.\**
35. *Second Reading* Bill 80, An Act to amend the Executive Council Act. *Mr Conway. PRINTED.\**
36. *Second Reading* Bill 81, An Act to amend the Election Finances Act. *Mr Conway. PRINTED.*
37. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.*
38. *Resuming the Adjourned Debate* on the Amendment to Government Motion Number 8 on the proposed trade agreement between Canada and the United States.
39. *Concurrence in Supply* for the Ministry of Treasury and Economics.
40. *Concurrence in Supply* for the Ministry of Skills Development.
41. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
42. *House in Committee of Supply.*

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\*Lieutenant Governor's Recommendation received.

## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

43. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

44. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**45. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**46. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**47. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**48. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**49. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**50. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**51. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**52. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**53. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**54. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**55. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**56. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**57. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

58. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
59. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
63. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
65. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
66. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
67. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
68. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
69. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
70. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
71. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
72. *Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville.* **PRINTED.**
73. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
74. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**

75. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
76. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
77. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
78. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
79. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
80. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).*
81. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.*
82. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.*
83. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.*
84. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.*

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### PRIVATE BILLS

85. *Second Reading* Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.*
86. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
87. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
88. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
89. *Second Reading* Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* **PRINTED.**
90. *Second Reading* Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* **PRINTED.**

91. *Second Reading* Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* **PRINTED.**
  92. *Second Reading* Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* **PRINTED.**
  93. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). **REPRINTED.**
  94. *Second Reading* Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* **PRINTED.**
  95. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

- (2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

- (3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

- (4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

- “25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

- (2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

- 95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

- Agreements**      **95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.
- Limitation**      (2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.
- Application of Charter**      (3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.
- Proclamation relating to agreements**      **95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.
- Amendment of agreements**      (2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.
- (a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or
- (b) in such other manner as is set out in the agreement.
- Application of sections 46 to 48 of *Constitution Act, 1982***      **95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.
- Amendments to sections 95A to 95D or this section**      **95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

**“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS**

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

**XIII—REFERENCES**

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

**“40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part."

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

**"44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

**"46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

**"47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### "PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

General

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

M. Peterson—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

## Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

## Choix des sénateurs

(2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

«*Accords relatifs à l'immigration et aux aubains*»

## Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

## Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

## Application relative aux accords

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

## Proclamation relative aux accords

95C. (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

## Modification des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
- b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrèent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

#### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

#### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

- 7. *Mr. Nixon—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 1988, and ending April 15, 1988, such payment to be charged to the proper appropriation following the voting of supply.*
  - 8. *Debated December 15 and 16, 1987.*
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
7. *Mr Ray (Windsor-Walkerville)*—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured.
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as

soon as possible to further regulate the bereavement industry to ensure the following:

1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;
2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.

11. *Mr Daigeler* —Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation.
  12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.
  13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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69. *Mr Philip (Etobicoke-Rexdale)*—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work contracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering. *December 10, 1987.*
  
70. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Government Services provide a detailed listing of all vacant provincially-owned lands under each Ministry; specifically, the location of the property, the lot size and acreage, and if available, proposed plans for the use of each site. *December 14, 1987.*
  
71. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the cost for the new furniture and televisions for the office of all Ministers and their staff, as well as all members of the Legislature since June of 1985. *December 15, 1987.*
  
72. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the names and the costs of the two lowest tenders for supplying furniture and televisions for the offices of all Ministers and their staff, as well as all members of the Legislature since June of 1985 and provide the name of the one that received the contract. *December 15, 1987.*
  
73. *Mrs Grier*—Enquiry of the Ministry—Would the Minister of Education provide a detailed list of elementary schools for which capital funding has been approved in 1987-88 and elementary schools for which application for capital funding in 1988-89 has been made, noting which elementary schools have been defined as “replacement” rather than “new” schools and therefore not eligible to receive capital funding from the Ministry of Education to include a day care centre in the new facility. *December 17, 1987.*
  
74. *Mr Philip (Etobicoke-Rexdale)*—Enquiry of the Ministry—Would the Minister of Housing consider the request from Metro Council to the Province of Ontario that the Assessment Act be amended to exempt from taxation, property rented to churches where the church is liable for property taxes, under the terms of a lease and which had the church owned the property it would have received an exemption under the Act. Would the Minister inform the House when legislation might be introduced to correct the

problem and does the Minister agree that there is discrimination under the present Assessment Act against those churches that rent property as compared to those who own property. Would the Minister also give a firm commitment that legislation will be introduced and if so, when will this legislation be introduced. *December 17, 1987.*

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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 7

*Mr Ray* (Windsor-Walkerville)—Resolution—That, in the opinion of this House, the Government of Ontario should amend the Insurance Act, R.S.O. 1980, to regulate pre-paid premiums for motor vehicle liability insurance policies to provide that premiums are held in trust for the insured until earned, and interest earned on the trust funds, until transferred from trust, would be paid to the insured. *To be debated today.*

### Ballot Item No. 8

*Second Reading* Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. To be debated today.*

### Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated on the first Thursday of the Spring Session.*

### Ballot Item No. 10

*Mr Daigeler*—Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation. *To be debated on the first Thursday of the Spring Session.*

### Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae* (York South). *To be debated on the second Thursday of the Spring Session.*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987*).

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### STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott*. (*Referred December 2, 1987*).

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott*. (*Déféré le 2 décembre 1987*).

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### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen*. (*Referred November 18, 1987*.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli*. (*Referred November 16, 1987*.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro*. (*Referred November 9, 1987*.)

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh*. (*Referred December 3, 1987*.)

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter*. (*Referred December 8, 1987*.)

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins*. (*Referred December 7, 1987*.)

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens*. (*Referred December 9, 1987*.)

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra*. (*Referred December 3, 1987*.)

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter*. (*Referred November 30, 1987*.)

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987.)*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## COMMITTEE MEETINGS

The Standing Committee on Finance and Economic Affairs will meet to consider the constitutionality of free trade as follows:

Today	10.00 a.m.	Room No. 151
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The Standing Committee on General Government will meet to consider the Estimates of the Ministry of Labour as follows:

Today	10.00 a.m.	Room No. 228
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The Standing Committee on Public Accounts will meet to consider the Estimates of the Office of the Provincial Auditor as follows:

Today	9.00 a.m.	Committee Room No. 1
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The Standing Committee on Resources Development will meet to consider the Estimates of the Ministry of Housing as follows:

Today	following Routine Proceedings	Committee Room No. 1
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The Standing Committee on Social Development will meet to consider the Estimates of the Office Responsible for Disabled Persons as follows:

Today	following Routine Proceedings	Room No. 151
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## ESTIMATES

**TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 390 hrs., 30 mins.**

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 5 hrs., 54 mins.                             |
| (Adjourned at Vote 1301, Item 1)                  |  |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Labour .....                                   | 5 hrs., 15 mins. |
| (Adjourned at Vote 2101, Item 1)                  |                  |
| 2. Northern Development .....                     | 7 hrs., 30 mins. |
| 3. Office Responsible for<br>Women's Issues ..... | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Assembly .....               | 5 hrs. |
| 2. Office of the Chief Election Officer ..... | 5 hrs. |

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

- |                                  |        |
|----------------------------------|--------|
| 1. Office of the Ombudsman ..... | 5 hrs. |
|----------------------------------|--------|

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Provincial Auditor ..... | 5 hrs. |
|---|--------|

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

- |                                     |  |
|-------------------------------------|--|
| 1. Industry, Trade and Technology . | <i>(Completed Thursday, December 10, 1987)</i> |
| 2. Housing .....                    | 4 hrs., 56 mins.                               |
| (Adjourned at Vote 1801, Item 1)    |  |
| 3. Environment .....                | 7 hrs., 30 mins.                               |
| 4. Agriculture and Food .....       | 7 hrs., 30 mins.                               |
| 5. Mines .....                      | 7 hrs., 30 mins.                               |
| 6. Municipal Affairs .....          | 7 hrs., 30 mins.                               |
| 7. Natural Resources .....          | 7 hrs., 30 mins.                               |
| 8. Tourism and Recreation .....     | 7 hrs., 30 mins.                               |
| 9. Transportation .....             | 7 hrs., 30 mins.                               |

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Skills Development .....                                 | <i>(Completed Thursday, December 10, 1987)</i> |
| 2. Office Responsible for<br>Disabled Persons .....         | 3 hrs., 45 mins.                               |
| (Adjourned at Vote 1101, Item 1)                            |  |
| 3. Education .....  | 7 hrs., 30 mins.                               |
| 4. Office Responsible for<br>Senior Citizens' Affairs ..... | 7 hrs., 30 mins.                               |
| 5. Citizenship .....  | 7 hrs., 30 mins.                               |
| 6. Colleges and Universities .....                          | 7 hrs., 30 mins.                               |
| 7. Community and Social Services .....                      | 7 hrs., 30 mins.                               |
| 8. Culture and Communications .....                         | 7 hrs., 30 mins.                               |
| 9. Health .....   | 7 hrs., 30 mins.                               |



CAZON  
X4  
-082

Government  
Publications

No. 26

# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Monday, December 21, 1987

## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Haldimand).\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître*.\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*.
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître*.\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye*.
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins*.\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara*.
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye*.
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye*.
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye*.

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**  
  
*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of Bill 29,* An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

30. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
31. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
32. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.*
33. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.*
34. *Second Reading* Bill 79, An Act to amend the Legislative Assembly Act. *Mr Conway.* **PRINTED.\***
35. *Second Reading* Bill 80, An Act to amend the Executive Council Act. *Mr Conway.* **PRINTED.\***
36. *Second Reading* Bill 81, An Act to amend the Election Finances Act, 1986. *Mr Conway.* **PRINTED.**
37. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.*
38. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.*
39. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.\**
40. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.\**
41. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.*
42. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.*
43. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.*
44. *Resuming the Adjourned Debate* on the Amendment to Government Motion Number 8 on the proposed trade agreement between Canada and the United States.
45. *Concurrence in Supply* for the Ministry of Treasury and Economics.
46. *Concurrence in Supply* for the Ministry of Skills Development.
47. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.

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\*Lieutenant Governor's Recommendation received.

48. *Concurrence in Supply* for the Office of the Provincial Auditor.

49. *House in Committee of Supply.*

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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 50. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

51. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
52. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
53. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
54. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
55. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
56. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
57. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**
58. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**
59. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
60. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**
63. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

65. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
66. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
67. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
68. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
71. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
72. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
73. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
74. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
75. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
76. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
77. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
78. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
79. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
80. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
81. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

82. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
83. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
84. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
85. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
86. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
87. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
88. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
89. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
90. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
91. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.*

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### PRIVATE BILLS

92. *Second Reading* Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.*
93. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
94. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
95. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
96. *Second Reading* Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* **PRINTED.**
97. *Second Reading* Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* **PRINTED.**

98. *Second Reading* Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* **PRINTED.**
99. *Second Reading* Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* **PRINTED.**
100. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). **REPRINTED.**
101. *Second Reading* Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* **PRINTED.**
102. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language."

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

"25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen's Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen's Privy Council for Canada."

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*"Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

Agreements	<b>95B.</b> (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.
Limitation	(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.
Application of Charter	(3) The <i>Canadian Charter of Rights and Freedoms</i> applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.
Proclamation relating to agreements	<b>95C.</b> (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.
Amendment of agreements	(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized. <ul style="list-style-type: none"> <li>(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or</li> <li>(b) in such other manner as is set out in the agreement.</li> </ul>
Application of sections 46 to 48 of <i>Constitution Act, 1982</i>	<b>95D.</b> Sections 46 to 48 of the <i>Constitution Act, 1982</i> apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.
Amendments to sections 95A to 95D or this section	<b>95E.</b> An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the <i>Constitution Act, 1982</i> , but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References “61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### *General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

Citation 17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions      «25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des sénateurs      (2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

«*Accords relatifs à l'immigration et aux aubains*»

Engagement      95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords      95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

Restriction      (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application de la Charte      (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation relative aux accords      95C. (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification des accords      (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

«*Dispositions générales*»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

«*Tribunaux créés par le Parlement du Canada*»

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

«*Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Rapport avec  
l'article 101

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«**40.** Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

#### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

#### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

7. *Mr. Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 1988, and ending April 15, 1988, such payment to be charged to the proper appropriation following the voting of supply.

8. *Debated December 15, 16 and 17, 1987.*

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
7. *Debated December 17, 1987.*
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to

the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
11. *Mr Daigeler* —Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they

warrant an abortion in conformity with the prescriptions of the Federal Legislation.

12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.
  13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

### NOTE:

†Interim Answers to Questions 3 to 16 inclusive tabled November 30, 1987.  
Approximate date information available January 28, 1988.

3. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Senior Citizens' Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
4. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Disabled Persons list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
5. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Colleges and Universities list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
6. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Education list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
7. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Municipal Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
8. *Miss Martel*—Enquiry of the Ministry—Would the Minister of the Environment list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-

Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†

9. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Northern Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
10. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Health list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
11. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Labour list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
12. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Skills Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
13. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Community and Social Services list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
14. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Consumer and Commercial Relations list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
15. *Miss Martel*—Enquiry of the Ministry—Would the Attorney General list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
16. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Treasury and Economics list all the advertising and communications programs and their

budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†

17. *Mr Wildman*—Enquiry of the Ministry—Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each Ministry of the provincial government during the current fiscal year. *November 19, 1987. Interim Answer* tabled November 30, 1987. Approximate date information available January 29, 1988.
19. *Answered December 17, 1987.*
20. *Mr Mackenzie*—Enquiry of the Ministry—Would the Minister of Labour table in the Legislature the most complete information to which he has access concerning: (a) the numbers of men and women in the Ontario labour force who are earning minimum wage; (b) the numbers of male and female minimum wage earners in the Ontario labour force, according to the sectors in which they work; (c) the number of male and female minimum wage earners in the Ontario labour force, according to full or part time work status; (d) comparable figures for these questions for two years, five years and ten years ago. *November 25, 1987. Interim Answer* tabled December 8, 1987. Approximate date information available January 28, 1988.
21. *Answered December 14, 1987.*
- 23 and 24. *Answered December 17, 1987.*
25. *Answered December 15, 1987.*
26. *Mr McLean*—Enquiry of the Ministry—Would the Attorney General provide a list of the Justices of the Peace appointed in Ontario since July of 1985 including their names, addresses and regions. *December 2, 1987. Interim Answer* tabled December 15, 1987. Approximate date information available January 22, 1988.
27. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Natural Resources provide a list of all Ministers and their staff, other Ministry staff, as well as their families and friends who have used government owned or leased aircraft since July of 1985. *December 2, 1987.*
28. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Energy provide the cost for printing the 1986 Ontario Hydro Annual Report. *December 2, 1987.*
- 29 and 30. *Answered December 17, 1987.*
31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987. Interim Answer* tabled

December 14, 1987. Approximate date information available January 29, 1988.

32. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a list of all loans, grants, and approvals for loans or grants made under the renterprise program including who the loan or grant was to, for how much, resulting in how many affordable units, where located, what was the value of the land ascribed to each loan or grant and who approved the valuation of the land associated with each loan or grant approval. *December 3, 1987. Interim Answer* tabled December 8, 1987. Approximate date information available January 27, 1988.

33 to 37 inclusive. *Answered December 17, 1987.*

38. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide an estimate of the details of the spending of Transitions money during the current fiscal year, including the estimated amount allocated to institutions of learning, the estimated amount allocated to employers, and the estimated amount allocated to administrative costs. *December 3, 1987. Interim Answer* tabled December 17, 1987. Approximate date information available January 18, 1988.

39 to 48 inclusive. *Answered December 17, 1987.*

49. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the full text of a letter concerning federal spending on job training which was sent by him to the Minister of Employment and Immigration and of which parts were reprinted by the *Globe and Mail* on November 30, 1987. *December 3, 1987.*

50 to 62 inclusive. *Answered December 17, 1987.*

63. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Health provide the cost of the Powell Report on Therapeutic Abortion Services in Ontario and a breakdown of the costs. *December 8, 1987.*

64. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide the number of certificates of offence for violations of section 121 (5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersection of Front Street West and Spadina Avenue in Toronto during each month between January, 1987 and September, 1987 inclusive. *December 8, 1987.*

65. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide the number of certificates of offence for violations of section 121 (5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersection of Front Street West and Spadina Avenue in Toronto during each of the months of October, 1987 and November, 1987. *December 8, 1987.*

66. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide a breakdown of the number of certificates of offence for violations of sec-

tion 121 (5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersections of Front Street West and Spadina Avenue in Toronto between January 1, 1987 and September 30, 1987, indicating the number of notices served to drivers of taxi cabs, the number of notices served to drivers of buses, the number of notices served to drivers of police vehicles, the number of notices served to drivers of trucks and other commercial vehicles, and the number of notices served to drivers of private, non-commercial vehicles. *December 8, 1987.*

67. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have left their communications branch since June 1985, what the position was and whether that position has been filled. *December 9, 1987.*
68. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have joined their communications branch since June 1985, what positions they have been hired for, what is the salary range for the position, was there an open or internal competition for the position and what advertising for the position took place. *December 9, 1987.*
69. *Mr Philip* (Etobicoke-Rexdale)—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work contracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering. *December 10, 1987.*
70. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Government Services provide a detailed listing of all vacant provincially-owned lands under each Ministry; specifically, the location of the property, the lot size and acreage, and if available, proposed plans for the use of each site. *December 14, 1987.*
71. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the cost for the new furniture and televisions for the office of all Ministers and their staff, as well as all members of the Legislature since June of 1985. *December 15, 1987.*
72. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the names and the costs of the two lowest tenders for supplying furniture and televisions for the offices of all Ministers and their staff, as well as all members of the Legislature since June of 1985 and provide the name of the one that received the contract. *December 15, 1987.*
73. *Withdrawn December 18, 1987.*
74. *Mr Philip* (Etobicoke-Rexdale)—Enquiry of the Ministry—Would the Minister of Housing consider the request from Metro Council to the Province of Ontario that the Assessment Act be amended to exempt from taxation,

property rented to churches where the church is liable for property taxes, under the terms of a lease and which had the church owned the property it would have received an exemption under the Act. Would the Minister inform the House when legislation might be introduced to correct the problem and does the Minister agree that there is discrimination under the present Assessment Act against those churches that rent property as compared to those who own property. Would the Minister also give a firm commitment that legislation will be introduced and if so, when will this legislation be introduced. *December 17, 1987.*

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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

Ballot Item Nos. 7 and 8. *Debated December 17, 1987.*

Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated on the first Thursday of the Spring Session.*

Ballot Item No. 10

*Mr Daigeler—Resolution—*That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation. *To be debated on the first Thursday of the Spring Session.*

Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South). To be debated on the second Thursday of the Spring Session.*

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## BILLS REFERRED TO STANDING COMMITTEES

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987*).

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## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott*. (*Referred December 2, 1987*).

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott*. (*Déféré le 2 décembre 1987*).

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## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987).*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987).*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987).*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987).*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987).*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987).*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987).*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987).*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987).*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987).*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987).*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987).*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987).*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987).*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987).*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office ..... | 7 hrs., 30 mins. |
| 2. Government Services .....                                | 7 hrs., 30 mins. |
| 3. Intergovernmental Affairs .....                          | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                        | 7 hrs., 30 mins. |
| 5. Revenue .....  | 7 hrs., 30 mins. |
| <i>(Includes supplementaries, first set)</i>                |                  |
| 6. Francophone Affairs .....                                | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Treasury and Economics .....                   | <i>(Completed Tuesday, December 8, 1987)</i> |
| 2. Energy .....                                   | 5 hrs., 54 mins.                             |
| <i>(Includes supplementaries, first set)</i>      |  |
| <i>(Adjourned at Vote 1301, Item 1)</i>           |  |
| 3. Attorney General .....                         | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, first set)</i>      |  |
| 4. Consumer and Commercial Relations .....        | 7 hrs., 30 mins.                             |
| <i>(Includes supplementaries, first set)</i>      |  |
| 5. Correctional Services .....                    | 7 hrs., 30 mins.                             |
| 6. Financial Institutions .....                   | 7 hrs., 30 mins.                             |
| 7. Office Responsible for<br>Native Affairs ..... | 7 hrs., 30 mins.                             |
| 8. Solicitor General .....                        | 7 hrs., 30 mins.                             |

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

- |   |                  |
|---|------------------|
| 1. Labour .....                                   | 3 hrs., 06 mins. |
| <i>(Adjourned at Vote 2101, Item 1)</i>           |                  |
| 2. Northern Development .....                     | 7 hrs., 30 mins. |
| 3. Office Responsible for<br>Women's Issues ..... | 7 hrs., 30 mins. |

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, first set)
2. Office of the Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office Responsible for  
Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
10. Skills Development ..... —  
(Includes supplementaries, first set)
11. Office Responsible for  
Disabled Persons ..... —  
(Includes supplementaries, first set)

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Tuesday, December 22, 1987

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## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand).*\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître.*\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître.*\*
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître.*\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye.*
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.*\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara.*
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye.*
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye.*
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye.*

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.*  
**IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**  
  
*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of Bill 29,* An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

30. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.*  
**PRINTED.**
31. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
32. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
33. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
34. *Second Reading* Bill 79, An Act to amend the Legislative Assembly Act. *Mr Conway.* **PRINTED.\***
35. *Second Reading* Bill 80, An Act to amend the Executive Council Act. *Mr Conway.* **PRINTED.\***
36. *Second Reading* Bill 81, An Act to amend the Election Finances Act, 1986. *Mr Conway.* **PRINTED.**
37. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.*  
**PRINTED.**
38. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.*
39. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.\**
40. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.\**
41. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.*
42. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.*
43. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.*
44. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.*

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.*

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\*Lieutenant Governor's Recommendation received.

45. *Resuming the Adjourned Debate* on the Amendment to Government Motion Number 8 on the proposed trade agreement between Canada and the United States.
  46. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  47. *Concurrence in Supply* for the Ministry of Skills Development.
  48. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  49. *Concurrence in Supply* for the Office of the Provincial Auditor.
  50. *Concurrence in Supply* for the Office Responsible for Disabled Persons.
  51. *Concurrence in Supply* for the Ministry of Housing.
  52. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

53. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

54. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

55. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

56. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

57. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

58. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

59. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

60. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

61. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

62. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

63. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

64. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

65. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

66. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

67. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

68. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
71. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
72. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
73. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
74. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
75. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
76. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
77. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
78. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
79. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
80. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
81. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
82. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
83. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
84. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

85. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
86. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
87. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
88. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
89. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
90. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
91. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
92. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
93. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.*

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### PRIVATE BILLS

95. *Second Reading* Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* **REPRINTED.**
96. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
97. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
98. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
99. *Second Reading* Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* **PRINTED.**
100. *Second Reading* Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* **PRINTED.**

101. *Second Reading* Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* **PRINTED.**
  102. *Second Reading* Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* **PRINTED.**
  103. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). **REPRINTED.**
  104. *Second Reading* Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* **PRINTED.**
  105. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Inter-  
pretation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

Agreements	<b>95B.</b> (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.
Limitation	(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.
Application of Charter	(3) The <i>Canadian Charter of Rights and Freedoms</i> applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.
Proclamation relating to agreements	<b>95C.</b> (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.
Amendment of agreements	<p>(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.</p> <p>(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or</p> <p>(b) in such other manner as is set out in the agreement.</p>
Application of sections 46 to 48 of <i>Constitution Act, 1982</i>	<b>95D.</b> Sections 46 to 48 of the <i>Constitution Act, 1982</i> apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.
Amendments to sections 95A to 95D or this section	<b>95E.</b> An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the <i>Constitution Act, 1982</i> , but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

#### References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### General

#### Multicultural heritage and aboriginal people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

#### Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

#### M. Peterson—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'Assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

- Propositions      «**25.** (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.
- Choix des sénateurs      (2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»
3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:
- «*Accords relatifs à l'immigration et aux aubains*»
- Engagement      **95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.
- Accords      **95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.
- Restriction      (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.
- Application de la Charte      (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.
- Proclamation relative aux accords      **95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.
- Modification des accords      (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
- b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compensation

«**40.** Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

#### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

#### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

7. *Mr. Nixon—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 1988, and ending April 15, 1988, such payment to be charged to the proper appropriation following the voting of supply.*

8. *Debated December 15, 16, 17 and 21, 1987.*

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
11. *Mr Daigler*—Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation.

12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.
  13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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73. *Withdrawn December 18, 1987.*

74. *Mr Philip (Etobicoke-Rexdale)*—Enquiry of the Ministry—Would the Minister of Housing consider the request from Metro Council to the Province of Ontario that the Assessment Act be amended to exempt from taxation, property rented to churches where the church is liable for property taxes, under the terms of a lease and which had the church owned the property it would have received an exemption under the Act. Would the Minister inform the House when legislation might be introduced to correct the problem and does the Minister agree that there is discrimination under the present Assessment Act against those churches that rent property as compared to those who own property. Would the Minister also give a firm commitment that legislation will be introduced and if so, when will this legislation be introduced. *December 17, 1987.*

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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated on the first Thursday of the Spring Session.*

## Ballot Item No. 10

*Mr Daigeler—Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation. To be debated on the first Thursday of the Spring Session.*

## Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South). To be debated on the second Thursday of the Spring Session.*

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## BILLS REFERRED TO STANDING COMMITTEES

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987.*)

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## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* (*Referred December 2, 1987.*)

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* (*Déféré le 2 décembre 1987.*)

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## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

**BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS**

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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**MATTER REFERRED TO SELECT COMMITTEE****SELECT COMMITTEE ON CONSTITUTIONAL REFORM**

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987.)*

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**MATTERS REFERRED TO STANDING COMMITTEES**

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... *(Completed Tuesday, December 8, 1987)*
2. Energy ..... 5 hrs., 54 mins.  
*(Includes supplementaries, first set)*  
*(Adjourned at Vote 1301, Item 1)*
3. Attorney General ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
*(Adjourned at Vote 2101, Item 1)*
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, first set)
2. Office of the Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... *(Completed Thursday, December 10, 1987)*
2. Office Responsible for  
   Disabled Persons ..... *(Completed Thursday, December 17, 1987)*
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
   Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
7. Community and Social Services ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
10. Skills Development ..... —  
   *(Supplementaries only, first set)*
11. Office Responsible for  
   Disabled Persons ..... —  
   *(Supplementaries only, first set)*



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No. 28

# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Wednesday, December 23, 1987

## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Haldimand).\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître*.\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*.\*
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître*.\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye*.
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins*.\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara*.
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye*.
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye*.
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye*.

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**  
  
*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

30. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
31. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
32. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
33. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
34. *Second Reading* Bill 79, An Act to amend the Legislative Assembly Act. *Mr Conway.* **PRINTED.\***
35. *Second Reading* Bill 80, An Act to amend the Executive Council Act. *Mr Conway.* **PRINTED.\***
36. *Second Reading* Bill 81, An Act to amend the Election Finances Act, 1986. *Mr Conway.* **PRINTED.**
37. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
38. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.*
39. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.\**
40. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
41. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
42. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
43. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.*
44. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.*

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.*

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\*Lieutenant Governor's Recommendation received.

45. *Resuming the Adjourned Debate* on the Amendment to Government Motion Number 8 on the proposed trade agreement between Canada and the United States.
  46. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  47. *Concurrence in Supply* for the Ministry of Skills Development.
  48. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  49. *Concurrence in Supply* for the Office of the Provincial Auditor.
  50. *Concurrence in Supply* for the Office Responsible for Disabled Persons.
  51. *Concurrence in Supply* for the Ministry of Housing.
  52. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 53. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean*.  
PRINTED.

54. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling*. PRINTED.

55. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve*. PRINTED.

56. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens*. PRINTED.

57. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden*. PRINTED.

58. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier*. PRINTED.

59. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland*. PRINTED.

60. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). PRINTED.

61. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). PRINTED.

62. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock*. PRINTED.

63. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie*. PRINTED.

64. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie*. PRINTED.

65. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie*. PRINTED.

66. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie*. PRINTED.

67. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie*. PRINTED.

68. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
71. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
72. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
73. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
74. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
75. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
76. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
77. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
78. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
79. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
80. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
81. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
82. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
83. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
84. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

85. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
86. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
87. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
88. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
89. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
90. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
91. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
92. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
93. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
95. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.*

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### PRIVATE BILLS

96. *Second Reading* Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* **REPRINTED.**
97. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
98. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reyecraft.* **PRINTED.**
99. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
100. *Second Reading* Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* **PRINTED.**

101. *Second Reading* Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* **PRINTED.**
  102. *Second Reading* Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* **PRINTED.**
  103. *Second Reading* Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* **PRINTED.**
  104. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray (Windsor-Walkerville).* **REPRINTED.**
  105. *Second Reading* Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* **PRINTED.**
  106. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

Amendments  
to sections  
95A to 95D  
or this  
section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

#### References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### General

#### Multicultural heritage and aboriginal people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

#### Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

#### M. Peterson—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions	« <b>25.</b> (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.
Choix des sénateurs	(2) Jusqu'à la modification, fait conformément à l'article 41 de la <i>Loi constitutionnelle de 1982</i> , de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»
	<b>3.</b> La même loi est modifiée par insertion, après l'article 95, de ce qui suit:  <i>«Accords relatifs à l'immigration et aux aubains»</i>
Engagement	<b>95A.</b> Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.
Accords	<b>95B.</b> (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.
Restriction	(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.
Application de la Charte	(3) La <i>Charte canadienne des droits et libertés</i> s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.
Proclamation relative aux accords	<b>95C.</b> (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.
Modification des accords	(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

«*Dispositions générales*»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

«*Tribunaux créés par le Parlement du Canada*»

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

«*Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrément au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

**7.** La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compensation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

7. *Mr. Nixon—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 1988, and ending April 15, 1988, such payment to be charged to the proper appropriation following the voting of supply.*

8. *Debated December 15, 16, 17, 21 and 22, 1987.*

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
11. *Mr Daigeler*—Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation.

12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.
  13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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74. *Mr Philip (Etobicoke-Rexdale)*—Enquiry of the Ministry—Would the Minister of Housing consider the request from Metro Council to the Province of Ontario that the Assessment Act be amended to exempt from taxation, property rented to churches where the church is liable for property taxes, under the terms of a lease and which had the church owned the property it would have received an exemption under the Act. Would the Minister inform the House when legislation might be introduced to correct the problem and does the Minister agree that there is discrimination under the present Assessment Act against those churches that rent property as compared to those who own property. Would the Minister also give a firm commitment that legislation will be introduced and if so, when will this legislation be introduced. *December 17, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated on the first Thursday of the Spring Session.*

## Ballot Item No. 10

*Mr Daigeler—Resolution—*That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation. *To be debated on the first Thursday of the Spring Session.*

## Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South). To be debated on the second Thursday of the Spring Session.*

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## BILLS REFERRED TO STANDING COMMITTEES

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987.*)

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## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* (*Referred December 2, 1987.*)

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* (*Déféré le 2 décembre 1987.*)

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## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reyecraft. (Referred December 22, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987.)*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... *(Completed Tuesday, December 8, 1987)*
2. Energy ..... 5 hrs., 54 mins.  
*(Includes supplementaries, first set)*  
*(Adjourned at Vote 1301, Item 1)*
3. Attorney General ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
*(Adjourned at Vote 2101, Item 1)*
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, first set)
2. Office of the Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office Responsible for  
Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
10. Skills Development ..... —  
(Supplementaries only, first set)
11. Office Responsible for  
Disabled Persons ..... —  
(Supplementaries only, first set)



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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Tuesday, December 29, 1987

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## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Haldimand).\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître*.\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*.\*
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître*.\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye*.
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins*.\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara*.
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye*.
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye*.
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye*.

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**  
  
*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of Bill 29,* An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

30. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
31. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
32. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
33. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
34. *Second Reading* Bill 79, An Act to amend the Legislative Assembly Act. *Mr Conway.* **PRINTED.\***
35. *Second Reading* Bill 80, An Act to amend the Executive Council Act. *Mr Conway.* **PRINTED.\***
36. *Second Reading* Bill 81, An Act to amend the Election Finances Act, 1986. *Mr Conway.* **PRINTED.**
37. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
38. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
39. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
40. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
41. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
42. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
43. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
44. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.*  
**IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

45. *Resuming the Adjourned Debate* on the Amendment to Government Motion Number 8 on the proposed trade agreement between Canada and the United States.
  46. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  47. *Concurrence in Supply* for the Ministry of Skills Development.
  48. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  49. *Concurrence in Supply* for the Office of the Provincial Auditor.
  50. *Concurrence in Supply* for the Office Responsible for Disabled Persons.
  51. *Concurrence in Supply* for the Ministry of Housing.
  52. *House in Committee of Supply*.
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## PRIVATE MEMBERS PUBLIC BILLS AND ORDERS

53. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

54. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

55. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

56. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

57. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

58. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

59. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

60. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

61. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

62. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

63. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

64. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

65. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

66. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

67. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

68. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
71. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
72. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
73. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
74. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
75. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
76. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
77. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
78. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
79. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
80. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
81. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
82. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
83. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
84. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

85. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
86. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
87. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
88. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
89. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
90. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
91. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
92. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
93. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
95. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.*

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### PRIVATE BILLS

96. *Second Reading* Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* **REPRINTED.**
97. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
98. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
99. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
100. *Second Reading* Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* **PRINTED.**

101. *Second Reading* Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* **PRINTED.**
  102. *Second Reading* Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* **PRINTED.**
  103. *Second Reading* Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* **PRINTED.**
  104. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray (Windsor-Walkerville).* **REPRINTED.**
  105. *Second Reading* Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* **PRINTED.**
  106. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

- Agreements**      **95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.
- Limitation**      (2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.
- Application of Charter**      (3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.
- Proclamation relating to agreements**      **95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.
- Amendment of agreements**      (2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.
- (a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or
- (b) in such other manner as is set out in the agreement.
- Application of sections 46 to 48 of Constitution Act, 1982**      **95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.
- Amendments to sections 95A to 95D or this section**      **95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

#### References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### General

#### Multicultural heritage and aboriginal people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

#### Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

#### M. Peterson—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions «25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des sénateurs (2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

*«Accords relatifs à l'immigration et aux aubains»*

Engagement 95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords 95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

Restriction (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application de la Charte (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation relative aux accords 95C. (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification des accords (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
- b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrément au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

**«106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

- 7. *Mr. Nixon—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 1988, and ending April 15, 1988, such payment to be charged to the proper appropriation following the voting of supply.*
  - 8. *Debated December 15, 16, 17, 21, 22 and 23, 1987.*
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
11. *Mr Daigeler* —Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation.

12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.
  13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

### NOTE:

†Interim Answers to Questions 3 to 16 inclusive tabled November 30, 1987.  
Approximate date information available January 28, 1988.

3. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Senior Citizens' Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
4. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Disabled Persons list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
5. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Colleges and Universities list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
6. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Education list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
7. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Municipal Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
8. *Miss Martel*—Enquiry of the Ministry—Would the Minister of the Environment list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-

Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†

9. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Northern Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
10. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Health list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
11. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Labour list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
12. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Skills Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
13. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Community and Social Services list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
14. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Consumer and Commercial Relations list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
15. *Miss Martel*—Enquiry of the Ministry—Would the Attorney General list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
16. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Treasury and Economics list all the advertising and communications programs and their

budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†

17. *Mr Wildman*—Enquiry of the Ministry—Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each Ministry of the provincial government during the current fiscal year. *November 19, 1987. Interim Answer* tabled November 30, 1987. Approximate date information available January 29, 1988.
20. *Mr Mackenzie*—Enquiry of the Ministry—Would the Minister of Labour table in the Legislature the most complete information to which he has access concerning: (a) the numbers of men and women in the Ontario labour force who are earning minimum wage; (b) the numbers of male and female minimum wage earners in the Ontario labour force, according to the sectors in which they work; (c) the number of male and female minimum wage earners in the Ontario labour force, according to full or part time work status; (d) comparable figures for these questions for two years, five years and ten years ago. *November 25, 1987. Interim Answer* tabled December 8, 1987. Approximate date information available January 28, 1988.
26. *Mr McLean*—Enquiry of the Ministry—Would the Attorney General provide a list of the Justices of the Peace appointed in Ontario since July of 1985 including their names, addresses and regions. *December 2, 1987. Interim Answer* tabled December 15, 1987. Approximate date information available January 22, 1988.
27. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Natural Resources provide a list of all Ministers and their staff, other Ministry staff, as well as their families and friends who have used government owned or leased aircraft since July of 1985. *December 2, 1987.*
28. *Answered December 22, 1987.*
31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987. Interim Answer* tabled December 14, 1987. Approximate date information available January 29, 1988.
32. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a list of all loans, grants, and approvals for loans or grants made under the renterprise program including who the loan or grant was to, for how much, resulting in how many affordable units, where located, what was the value of the land ascribed to each loan or grant and who approved the valuation of the land associated with each loan or grant approval. *December 3, 1987. Interim Answer* tabled December 8, 1987. Approximate date information available January 27, 1988.

38. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide an estimate of the details of the spending of Transitions money during the current fiscal year, including the estimated amount allocated to institutions of learning, the estimated amount allocated to employers, and the estimated amount allocated to administrative costs. *December 3, 1987. Interim Answer* tabled December 17, 1987. Approximate date information available January 18, 1988.
49. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the full text of a letter concerning federal spending on job training which was sent by him to the Minister of Employment and Immigration and of which parts were reprinted by the *Globe and Mail* on November 30, 1987. *December 3, 1987.*
63. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Health provide the cost of the Powell Report on Therapeutic Abortion Services in Ontario and a breakdown of the costs. *December 8, 1987.*
64. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide the number of certificates of offence for violations of section 121 (5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersection of Front Street West and Spadina Avenue in Toronto during each month between January, 1987 and September, 1987 inclusive. *December 8, 1987.*
65. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide the number of certificates of offence for violations of section 121 (5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersection of Front Street West and Spadina Avenue in Toronto during each of the months of October, 1987 and November, 1987. *December 8, 1987.*
66. *Mr Jackson*—Enquiry of the Ministry—Would the Solicitor General provide a breakdown of the number of certificates of offence for violations of section 121 (5) of the *Highway Traffic Act* served by officers of the Metropolitan Toronto Police Force at or near the intersections of Front Street West and Spadina Avenue in Toronto between January 1, 1987 and September 30, 1987, indicating the number of notices served to drivers of taxi cabs, the number of notices served to drivers of buses, the number of notices served to drivers of police vehicles, the number of notices served to drivers of trucks and other commercial vehicles, and the number of notices served to drivers of private, non-commercial vehicles. *December 8, 1987.*
67. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have left their communications branch since June 1985, what the position was and whether that position has been filled. *December 9, 1987.*
68. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have joined their communications branch since June 1985, what positions they have been hired for, what is the salary range for

the position, was there an open or internal competition for the position and what advertising for the position took place. *December 9, 1987.*

69. *Mr Philip (Etobicoke-Rexdale)*—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work contracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering. *December 10, 1987. Interim Answer* tabled December 22, 1987. Approximate date information available May 16, 1988.
  70. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Government Services provide a detailed listing of all vacant provincially-owned lands under each Ministry; specifically, the location of the property, the lot size and acreage, and if available, proposed plans for the use of each site. *December 14, 1987.*
  71. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the cost for the new furniture and televisions for the office of all Ministers and their staff, as well as all members of the Legislature since June of 1985. *December 15, 1987.*
  72. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the names and the costs of the two lowest tenders for supplying furniture and televisions for the offices of all Ministers and their staff, as well as all members of the Legislature since June of 1985 and provide the name of the one that received the contract. *December 15, 1987.*
  74. *Mr Philip (Etobicoke-Rexdale)*—Enquiry of the Ministry—Would the Minister of Housing consider the request from Metro Council to the Province of Ontario that the Assessment Act be amended to exempt from taxation, property rented to churches where the church is liable for property taxes, under the terms of a lease and which had the church owned the property it would have received an exemption under the Act. Would the Minister inform the House when legislation might be introduced to correct the problem and does the Minister agree that there is discrimination under the present Assessment Act against those churches that rent property as compared to those who own property. Would the Minister also give a firm commitment that legislation will be introduced and if so, when will this legislation be introduced. *December 17, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated on Thursday December 31, 1987.*

## Ballot Item No. 10

*Mr Daigeler—Resolution—*That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation. *To be debated on Thursday, December 31, 1987.*

## Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South). To be debated on the first Thursday of the Spring Session.*

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## BILLS REFERRED TO STANDING COMMITTEES

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987.*)

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## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* (*Referred December 2, 1987.*)

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* (*Déféré le 2 décembre 1987.*)

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## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen.* (Referred November 18, 1987.)

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli.* (Referred November 16, 1987.)

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro.* (Referred November 9, 1987.)

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breagh.* (Referred December 3, 1987.)

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter.* (Referred December 8, 1987.)

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer.* (Referred December 17, 1987.)

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins.* (Referred December 7, 1987.)

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens.* (Referred December 9, 1987.)

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell.* (Referred December 22, 1987.)

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra.* (Referred December 3, 1987.)

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft.* (Referred December 22, 1987.)

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter.* (Referred November 30, 1987.)

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray* (Windsor-Walkerville). (Referred December 21, 1987.)

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton.* (Referred December 3, 1987.)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* (Referred December 10, 1987.)

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987.)*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... *(Completed Tuesday, December 8, 1987)*
2. Energy ..... 5 hrs., 54 mins.  
*(Includes supplementaries, first set)*  
*(Adjourned at Vote 1301, Item 1)*
3. Attorney General ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
*(Adjourned at Vote 2101, Item 1)*
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, first set)
2. Office of the Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... *(Completed Thursday, December 10, 1987)*
2. Office Responsible for  
Disabled Persons ..... *(Completed Thursday, December 17, 1987)*
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
7. Community and Social Services ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
10. Skills Development ..... —  
*(Supplementaries only, first set)*
11. Office Responsible for  
Disabled Persons ..... —  
*(Supplementaries only, first set)*



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Government  
Publications

No. 30

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Wednesday, December 30, 1987

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## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand).*\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître.*\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître.*\*
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître.*\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye.*
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.*\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara.*
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye.*
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye.*
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye.*

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.*  
**IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**  
  
*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of Bill 29,* An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

30. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.*  
**PRINTED.**
31. *Second Reading* Bill 76, An Act to amend the Education Act and certain  
other Acts related to Education. *Mr Ward.* **PRINTED.**
32. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and  
the Assessment Act. *Mr Eakins.* **PRINTED.**
33. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements.  
*Mr Riddell.* **PRINTED.**
34. *Second Reading* Bill 79, An Act to amend the Legislative Assembly Act.  
*Mr Conway.* **PRINTED.\***
35. *Second Reading* Bill 80, An Act to amend the Executive Council Act. *Mr*  
*Conway.* **PRINTED.\***
36. *Second Reading* Bill 81, An Act to amend the Election Finances Act, 1986.  
*Mr Conway.* **PRINTED.**
37. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.*  
**PRINTED.**
38. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices.  
*Mr Riddell.* **PRINTED.**
39. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr*  
*Grandmaître.* **PRINTED.\***
40. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr*  
*Grandmaître.* **PRINTED.\***
41. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr*  
*Fulton.* **PRINTED.**
42. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport  
Board Act. *Mr Fulton.* **PRINTED.**
43. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr*  
*Fulton.* **PRINTED.**
44. *Second Reading* Bill 90, An Act respecting the United Nations Convention  
on Contracts for the International Sale of Goods. *Mr Scott.*  
**PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations  
Unies sur les contrats de vente internationale de marchandises. *M. Scott.*  
**IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

45. *Resuming the Adjourned Debate* on the Amendment to Government Motion Number 8 on the proposed trade agreement between Canada and the United States.
  46. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  47. *Concurrence in Supply* for the Ministry of Skills Development.
  48. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  49. *Concurrence in Supply* for the Office of the Provincial Auditor.
  50. *Concurrence in Supply* for the Office Responsible for Disabled Persons.
  51. *Concurrence in Supply* for the Ministry of Housing.
  52. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 53. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

54. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

55. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

56. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

57. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

58. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

59. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

60. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

61. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

62. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

63. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

64. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

65. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

66. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

67. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

68. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
71. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
72. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
73. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
74. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
75. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
76. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
77. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
78. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
79. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
80. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
81. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
82. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
83. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
84. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

85. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
86. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
87. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
88. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
89. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
90. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
91. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
92. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
93. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
95. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**

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### PRIVATE BILLS

96. *Second Reading* Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* **REPRINTED.**
97. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
98. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reyecraft.* **PRINTED.**
99. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
100. *Second Reading* Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* **PRINTED.**

101. *Second Reading* Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* **PRINTED.**
  102. *Second Reading* Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* **PRINTED.**
  103. *Second Reading* Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* **PRINTED.**
  104. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray* (Windsor-Walkerville). **REPRINTED.**
  105. *Second Reading* Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* **PRINTED.**
  106. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

- Agreements**      **95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.
- Limitation**      (2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.
- Application of Charter**      (3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.
- Proclamation relating to agreements**      **95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.
- Amendment of agreements**      (2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.
- (a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or
- (b) in such other manner as is set out in the agreement.
- Application of sections 46 to 48 of *Constitution Act, 1982***      **95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.
- Amendments to sections 95A to 95D or this section**      **95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References “61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### *General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

Citation 17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions «25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des sénateurs (2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

*«Accords relatifs à l'immigration et aux aubains»*

Engagement 95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords 95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

Restriction (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application de la Charte (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation relative aux accords 95C. (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification des accords (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

«*Dispositions générales*»

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

«*Tribunaux créés par le Parlement du Canada*»

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

«*Cour suprême du Canada*»

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargissement des compétences législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compensation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

7. *Mr. Nixon*—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 1988, and ending April 15, 1988, such payment to be charged to the proper appropriation following the voting of supply.
  8. *Debated December 15, 16, 17, 21, 22, 23 and 29, 1987.*
-

## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
11. *Mr Daigeler* —Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation.

12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.
  13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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75. *Mrs Marland*—Enquiry of the Ministry—Would the Minister of Transportation advise whether Ministry staff have been instructed to prepare an engineering and design study for the construction of a sound barrier along the QEW, south side, from Erin Mills Parkway to Hurontario Street, on what date was the instruction issued, what form did the instruction take, and would the Minister provide a copy of that formal instruction. *December 30, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated on Thursday December 31, 1987.*

### Ballot Item No. 10

*Mr Daigeler—Resolution—*That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation. *To be debated on Thursday, December 31, 1987.*

### Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South). To be debated on the first Thursday of the Spring Session.*

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## BILLS REFERRED TO STANDING COMMITTEES

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987.*)

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## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* (*Referred December 2, 1987.*)

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* (*Déféré le 2 décembre 1987.*)

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## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987.)*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## ESTIMATES

### TOTAL HOURS FOR CONSIDERATION OF

ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... *(Completed Tuesday, December 8, 1987)*
2. Energy ..... 5 hrs., 54 mins.  
(Includes supplementaries, first set)  
(Adjourned at Vote 1301, Item 1)
3. Attorney General ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, first set)
2. Office of the Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... *(Completed Thursday, December 10, 1987)*
2. Office Responsible for  
   Disabled Persons ..... *(Completed Thursday, December 17, 1987)*
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
   Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
7. Community and Social Services ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
10. Skills Development ..... —  
   *(Supplementaries only, first set)*
11. Office Responsible for  
   Disabled Persons ..... —  
   *(Supplementaries only, first set)*



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No. 31

# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Thursday, December 31, 1987

## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand).*\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître.*\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître.*\*
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître.*\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye.*
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.*\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara.*
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye.*
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye.*
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye.*

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

30. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* PRINTED.
31. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* PRINTED.
32. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* PRINTED.
33. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* PRINTED.
34. *Second Reading* Bill 79, An Act to amend the Legislative Assembly Act. *Mr Conway.* PRINTED.\*
35. *Second Reading* Bill 80, An Act to amend the Executive Council Act. *Mr Conway.* PRINTED.\*
36. *Second Reading* Bill 81, An Act to amend the Election Finances Act, 1986. *Mr Conway.* PRINTED.
37. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* PRINTED.
38. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* PRINTED.
39. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* PRINTED.\*
40. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* PRINTED.\*
41. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* PRINTED.
42. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* PRINTED.
43. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* PRINTED.
44. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* PRINTED.

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* IMPRIMÉ.

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\*Lieutenant Governor's Recommendation received.

45. *Resuming the Adjourned Debate* on the Amendment to Government Motion Number 8 on the proposed trade agreement between Canada and the United States.
  46. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  47. *Concurrence in Supply* for the Ministry of Skills Development.
  48. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  49. *Concurrence in Supply* for the Office of the Provincial Auditor.
  50. *Concurrence in Supply* for the Office Responsible for Disabled Persons.
  51. *Concurrence in Supply* for the Ministry of Housing.
  52. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 53. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

54. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
55. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
56. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
57. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
58. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
59. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
60. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**
61. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**
62. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
63. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
65. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**
66. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**
67. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

68. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
71. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
72. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
73. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
74. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
75. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
76. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
77. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
78. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
79. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
80. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
81. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
82. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
83. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
84. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

85. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
86. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
87. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
88. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
89. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
90. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
91. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
92. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
93. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
95. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**

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### PRIVATE BILLS

96. *Second Reading* Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* **REPRINTED.**
97. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
98. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
99. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
100. *Second Reading* Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* **PRINTED.**

101. *Second Reading* Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* **PRINTED.**
102. *Second Reading* Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* **PRINTED.**
103. *Second Reading* Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* **PRINTED.**
104. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray (Windsor-Walkerville).* **REPRINTED.**
105. *Second Reading* Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* **PRINTED.**
106. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpretation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

## “XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

## XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

### *Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

**“40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

- Propositions      **«25.** (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.
- Choix des sénateurs      (2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»
3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:
- «Accords relatifs à l'immigration et aux aubains»*
- Engagement      **95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.
- Accords      **95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.
- Restriction      (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.
- Application de la Charte      (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.
- Proclamation relative aux accords      **95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.
- Modification des accords      (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

**7.** La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

**«106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

#### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

#### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

7. *Mr. Nixon—Resolution—That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing January 1, 1988, and ending April 15, 1988, such payments to be charged to the proper appropriation following the voting of supply.*

8. *Debated December 15, 16, 17, 21, 22, 23, 29 and 30, 1987.*

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
11. *Mr Daigeler*—Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation.

12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.
  13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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75. *Mrs Marland*—Enquiry of the Ministry—Would the Minister of Transportation advise whether Ministry staff have been instructed to prepare an engineering and design study for the construction of a sound barrier along the QEW, south side, from Erin Mills Parkway to Hurontario Street, on what date was the instruction issued, what form did the instruction take, and would the Minister provide a copy of that formal instruction. *December 30, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated on the first Thursday of the Spring Session.*

### Ballot Item No. 10

*Mr Daigeler—Resolution—*That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation. *To be debated on the first Thursday of the Spring Session.*

### Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South). To be debated on the second Thursday of the Spring Session.*

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## BILLS REFERRED TO STANDING COMMITTEES

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987.*)

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## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* (*Referred December 2, 1987.*)

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* (*Déféré le 2 décembre 1987.*)

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## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987.)*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... (Completed Tuesday, December 8, 1987)
2. Energy ..... 5 hrs., 54 mins.  
(Includes supplementaries, first set)  
(Adjourned at Vote 1301, Item 1)
3. Attorney General ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, first set)
2. Office of the Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... *(Completed Thursday, December 10, 1987)*
2. Office Responsible for  
Disabled Persons ..... *(Completed Thursday, December 17, 1987)*
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
7. Community and Social Services ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
10. Skills Development ..... —  
*(Supplementaries only, first set)*
11. Office Responsible for  
Disabled Persons ..... —  
*(Supplementaries only, first set)*



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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
**Monday, January 4, 1988**

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## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Haldimand).\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître*.\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*.\*
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître*.\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye*.
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins*.\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara*.
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye*.
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye*.
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye*.

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

30. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
31. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
32. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
33. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
34. *Second Reading* Bill 79, An Act to amend the Legislative Assembly Act. *Mr Conway.* **PRINTED.\***
35. *Second Reading* Bill 80, An Act to amend the Executive Council Act. *Mr Conway.* **PRINTED.\***
36. *Second Reading* Bill 81, An Act to amend the Election Finances Act, 1986. *Mr Conway.* **PRINTED.**
37. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
38. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
39. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
40. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
41. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
42. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
43. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
44. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.*  
**IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

45. *Resuming the Adjourned Debate* on the Amendment to Government Motion Number 8 on the proposed trade agreement between Canada and the United States.
  46. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  47. *Concurrence in Supply* for the Ministry of Skills Development.
  48. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  49. *Concurrence in Supply* for the Office of the Provincial Auditor.
  50. *Concurrence in Supply* for the Office Responsible for Disabled Persons.
  51. *Concurrence in Supply* for the Ministry of Housing.
  52. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

53. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

54. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**
55. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**
56. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**
57. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**
58. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**
59. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**
60. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**
61. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**
62. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**
63. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
65. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**
66. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**
67. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

68. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
71. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
72. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
73. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
74. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
75. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
76. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
77. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
78. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
79. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
80. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
81. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
82. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
83. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
84. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

85. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
86. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
87. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
88. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
89. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
90. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
91. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
92. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
93. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
95. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**

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### PRIVATE BILLS

96. *Second Reading* Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* **REPRINTED.**
97. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
98. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
99. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
100. *Second Reading* Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* **PRINTED.**

101. *Second Reading* Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* **PRINTED.**
  102. *Second Reading* Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* **PRINTED.**
  103. *Second Reading* Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* **PRINTED.**
  104. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray (Windsor-Walkerville).* **REPRINTED.**
  105. *Second Reading* Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* **PRINTED.**
  106. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

**“40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References “61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### *General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

Citation 17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions «25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des sénateurs (2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

*«Accords relatifs à l'immigration et aux aubains»*

Engagement 95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords 95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

Restriction (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application de la Charte (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation relative aux accords 95C. (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification des accords (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

«*Dispositions générales*»

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

«*Tribunaux créés par le Parlement du Canada*»

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

«*Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrément au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compensation

«**40.** Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

#### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

#### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

7. *Debated December 31, 1987.*

8. *Debated December 15, 16, 17, 21, 22, 23, 29 and 30, 1987.*

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
11. *Mr Daigeler* —Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation.

12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.
  13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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### NOTE:

†Interim Answers to Questions 3 to 16 inclusive tabled November 30, 1987.  
Approximate date information available January 28, 1988.

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3. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Senior Citizens' Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
  
4. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Disabled Persons list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
  
5. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Colleges and Universities list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
  
6. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Education list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
  
7. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Municipal Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
  
8. *Miss Martel*—Enquiry of the Ministry—Would the Minister of the Environment list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-

Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†

9. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Northern Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
10. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Health list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
11. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Labour list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
12. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Skills Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
13. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Community and Social Services list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
14. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Consumer and Commercial Relations list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
15. *Miss Martel*—Enquiry of the Ministry—Would the Attorney General list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
16. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Treasury and Economics list all the advertising and communications programs and their

budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†

17. *Mr Wildman*—Enquiry of the Ministry—Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each Ministry of the provincial government during the current fiscal year. *November 19, 1987. Interim Answer* tabled November 30, 1987. Approximate date information available January 29, 1988.
  
20. *Mr Mackenzie*—Enquiry of the Ministry—Would the Minister of Labour table in the Legislature the most complete information to which he has access concerning: (a) the numbers of men and women in the Ontario labour force who are earning minimum wage; (b) the numbers of male and female minimum wage earners in the Ontario labour force, according to the sectors in which they work; (c) the number of male and female minimum wage earners in the Ontario labour force, according to full or part time work status; (d) comparable figures for these questions for two years, five years and ten years ago. *November 25, 1987. Interim Answer* tabled December 8, 1987. Approximate date information available January 28, 1988.
  
26. *Mr McLean*—Enquiry of the Ministry—Would the Attorney General provide a list of the Justices of the Peace appointed in Ontario since July of 1985 including their names, addresses and regions. *December 2, 1987. Interim Answer* tabled December 15, 1987. Approximate date information available January 22, 1988.
  
27. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Natural Resources provide a list of all Ministers and their staff, other Ministry staff, as well as their families and friends who have used government owned or leased aircraft since July of 1985. *December 2, 1987.*
  
31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987. Interim Answer* tabled December 14, 1987. Approximate date information available January 29, 1988.
  
32. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a list of all loans, grants, and approvals for loans or grants made under the renterprise program including who the loan or grant was to, for how much, resulting in how many affordable units, where located, what was the value of the land ascribed to each loan or grant and who approved the valuation of the land associated with each loan or grant approval. *December 3, 1987. Interim Answer* tabled December 8, 1987. Approximate date information available January 27, 1988.
  
38. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide an estimate of the details of the spending of Transitions

money during the current fiscal year, including the estimated amount allocated to institutions of learning, the estimated amount allocated to employers, and the estimated amount allocated to administrative costs. *December 3, 1987. Interim Answer* tabled December 17, 1987. Approximate date information available January 18, 1988.

49. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the full text of a letter concerning federal spending on job training which was sent by him to the Minister of Employment and Immigration and of which parts were reprinted by the *Globe and Mail* on November 30, 1987. *December 3, 1987.*

63 to 66 inclusive. *Answered December 29, 1987.*

67. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have left their communications branch since June 1985, what the position was and whether that position has been filled. *December 9, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 31, 1988.

68. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have joined their communications branch since June 1985, what positions they have been hired for, what is the salary range for the position, was there an open or internal competition for the position and what advertising for the position took place. *December 9, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 31, 1988.

69. *Mr Philip (Etobicoke-Rexdale)*—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work contracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering. *December 10, 1987. Interim Answer* tabled December 22, 1987. Approximate date information available May 16, 1988.

70. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Government Services provide a detailed listing of all vacant provincially-owned lands under each Ministry; specifically, the location of the property, the lot size and acreage, and if available, proposed plans for the use of each site. *December 14, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 7, 1988.

71. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the cost for the new furniture and televisions for the office of all Ministers and their staff, as well as all members of the Legislature since June of 1985. *December 15, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available February 29, 1988.

72. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the names and the costs of the two lowest tenders for supplying furniture and televisions for the offices of all Ministers and their staff, as well as all members of the Legislature since June of 1985 and provide the name of the one that received the contract. *December 15, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available February 29, 1988.
74. *Mr Philip* (Etobicoke-Rexdale)—Enquiry of the Ministry—Would the Minister of Housing consider the request from Metro Council to the Province of Ontario that the Assessment Act be amended to exempt from taxation, property rented to churches where the church is liable for property taxes, under the terms of a lease and which had the church owned the property it would have received an exemption under the Act. Would the Minister inform the House when legislation might be introduced to correct the problem and does the Minister agree that there is discrimination under the present Assessment Act against those churches that rent property as compared to those who own property. Would the Minister also give a firm commitment that legislation will be introduced and if so, when will this legislation be introduced. *December 17, 1987.*
75. *Mrs Marland*—Enquiry of the Ministry—Would the Minister of Transportation advise whether Ministry staff have been instructed to prepare an engineering and design study for the construction of a sound barrier along the QEW, south side, from Erin Mills Parkway to Hurontario Street, on what date was the instruction issued, what form did the instruction take, and would the Minister provide a copy of that formal instruction. *December 30, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated Thursday, January 7, 1988.*

## Ballot Item No. 10

*Mr Daigeler—Resolution—*That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation. *To be debated Thursday, January 7, 1988.*

## Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).*

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## BILLS REFERRED TO STANDING COMMITTEES

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987.*)

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## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* (*Referred December 2, 1987.*)

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* (*Déféré le 2 décembre 1987.*)

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## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987.)*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... (Completed Tuesday, December 8, 1987)
2. Energy ..... 5 hrs., 54 mins.  
(Includes supplementaries, first set)  
(Adjourned at Vote 1301, Item 1)
3. Attorney General ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, first set)
2. Office of the Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... *(Completed Thursday, December 10, 1987)*
2. Office Responsible for  
   Disabled Persons ..... *(Completed Thursday, December 17, 1987)*
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
   Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
7. Community and Social Services ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
10. Skills Development ..... —  
   *(Supplementaries only, first set)*
11. Office Responsible for  
   Disabled Persons ..... —  
   *(Supplementaries only, first set)*



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Publication

No. 33

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Tuesday, January 5, 1988

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## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand).*\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître.*\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître.*\*
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître.*\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye.*
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.*\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara.*
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye.*
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye.*
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye.*

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**  
  
*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of Bill 29,* An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

30. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.*  
**PRINTED.**
31. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
32. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
33. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
34. *Second Reading* Bill 79, An Act to amend the Legislative Assembly Act. *Mr Conway.* **PRINTED.\***
35. *Second Reading* Bill 80, An Act to amend the Executive Council Act. *Mr Conway.* **PRINTED.\***
36. *Second Reading* Bill 81, An Act to amend the Election Finances Act, 1986. *Mr Conway.* **PRINTED.**
37. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.*  
**PRINTED.**
38. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
39. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
40. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
41. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
42. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
43. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
44. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.*  
**PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.*  
**IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

45. *Resuming the Adjourned Debate* on the Amendment to Government Motion Number 8 on the proposed trade agreement between Canada and the United States.
  46. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  47. *Concurrence in Supply* for the Ministry of Skills Development.
  48. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  49. *Concurrence in Supply* for the Office of the Provincial Auditor.
  50. *Concurrence in Supply* for the Office Responsible for Disabled Persons.
  51. *Concurrence in Supply* for the Ministry of Housing.
  52. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

53. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

54. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

55. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

56. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

57. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

58. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

59. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

60. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

61. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

62. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

63. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

64. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

65. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

66. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

67. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

68. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
71. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
72. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
73. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
74. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
75. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
76. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
77. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
78. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
79. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
80. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
81. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
82. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
83. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
84. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

85. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
86. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
87. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
88. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
89. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
90. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
91. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
92. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
93. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
95. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**

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### PRIVATE BILLS

96. *Second Reading* Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* **REPRINTED.**
97. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
98. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
99. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
100. *Second Reading* Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* **PRINTED.**

101. *Second Reading* Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* **PRINTED.**
  102. *Second Reading* Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* **PRINTED.**
  103. *Second Reading* Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* **PRINTED.**
  104. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray (Windsor-Walkerville).* **REPRINTED.**
  105. *Second Reading* Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* **PRINTED.**
  106. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

## Propositions

«**25.** (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

## Choix des sénateurs

(2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

**3.** La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

«*Accords relatifs à l'immigration et aux aubains*»

## Engagement

**95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

## Accords

**95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

## Application de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

## Proclamation relative aux accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

## Modification des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

«*Dispositions générales*»

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

«*Tribunaux créés par le Parlement du Canada*»

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

«*Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compensation

«**40.** Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

#### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

#### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

8. Debated December 15, 16, 17, 21, 22, 23, 29, 30, 1987, and January 4, 1988.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
11. *Mr Daigeler*—Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation.

12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.
  13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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75. *Mrs Marland*—Enquiry of the Ministry—Would the Minister of Transportation advise whether Ministry staff have been instructed to prepare an engineering and design study for the construction of a sound barrier along the QEW, south side, from Erin Mills Parkway to Hurontario Street, on what date was the instruction issued, what form did the instruction take, and would the Minister provide a copy of that formal instruction. *December 30, 1987.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated Thursday, January 7, 1988.*

## Ballot Item No. 10

*Mr Daigeler—Resolution—*That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation. *To be debated Thursday, January 7, 1988.*

## Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).*

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**BILLS REFERRED TO STANDING COMMITTEES****STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE**

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987.*)

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**STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY**

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* (*Referred December 2, 1987.*)

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* (*Défééré le 2 décembre 1987.*)

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## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987.)*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... *(Completed Tuesday, December 8, 1987)*
2. Energy ..... 5 hrs., 54 mins.  
*(Includes supplementaries, first set)*  
*(Adjourned at Vote 1301, Item 1)*
3. Attorney General ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
*(Adjourned at Vote 2101, Item 1)*
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, first set)
2. Office of the Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... *(Completed Thursday, December 10, 1987)*
2. Office Responsible for  
   Disabled Persons ..... *(Completed Thursday, December 17, 1987)*
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
   Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
7. Community and Social Services ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
10. Skills Development ..... —  
   *(Supplementaries only, first set)*
11. Office Responsible for  
   Disabled Persons ..... —  
   *(Supplementaries only, first set)*



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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Wednesday, January 6, 1988

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## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon* (Brant-Haldimand).\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître*.\*
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître*.\*
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître*.\*
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye*.
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins*.\*
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara*.
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye*.
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye*.
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye*.

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott*. **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott*. **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott*. **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott*. **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**  
  
*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

30. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
31. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
32. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
33. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
34. *Second Reading* Bill 79, An Act to amend the Legislative Assembly Act. *Mr Conway.* **PRINTED.\***
35. *Second Reading* Bill 80, An Act to amend the Executive Council Act. *Mr Conway.* **PRINTED.\***
36. *Second Reading* Bill 81, An Act to amend the Election Finances Act, 1986. *Mr Conway.* **PRINTED.**
37. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
38. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
39. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
40. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
41. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
42. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
43. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
44. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

45. *Resuming the Adjourned Debate* on the Amendment to Government Motion Number 8 on the proposed trade agreement between Canada and the United States.
  46. *Concurrence in Supply* for the Ministry of Treasury and Economics.
  47. *Concurrence in Supply* for the Ministry of Skills Development.
  48. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
  49. *Concurrence in Supply* for the Office of the Provincial Auditor.
  50. *Concurrence in Supply* for the Office Responsible for Disabled Persons.
  51. *Concurrence in Supply* for the Ministry of Housing.
  52. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

53. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

54. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

55. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

56. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

57. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

58. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

59. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

60. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

61. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

62. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

63. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

64. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

65. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

66. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

67. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

68. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
71. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
72. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
73. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
74. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
75. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
76. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
77. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
78. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
79. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
80. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
81. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
82. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
83. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
84. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

85. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
86. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
87. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
88. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
89. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
90. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
91. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
92. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
93. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
95. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**

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### PRIVATE BILLS

96. *Second Reading* Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* **REPRINTED.**
97. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
98. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reyecraft.* **PRINTED.**
99. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**
100. *Second Reading* Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* **PRINTED.**

101. *Second Reading* Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* **PRINTED.**
  102. *Second Reading* Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* **PRINTED.**
  103. *Second Reading* Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* **PRINTED.**
  104. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray (Windsor-Walkerville).* **REPRINTED.**
  105. *Second Reading* Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* **PRINTED.**
  106. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

Amendments  
to sections  
95A to 95D  
or this  
section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compen-  
sation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part."

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

**"44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

**"46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

**"47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### "PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

- Propositions «25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.
- Choix des sénateurs (2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»
3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:
- «Accords relatifs à l'immigration et aux aubains»*
- Engagement **95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.
- Accords **95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.
- Restriction (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.
- Application de la Charte (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.
- Proclamation relative aux accords **95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.
- Modification des accords (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
- b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

4. La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

5. La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrément au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

#### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

**16.** L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

#### TITRE

Titre

**17.** Titre de la présente modification: *Modification constitutionnelle de 1987*.

8. *Debated December 15, 16, 17, 21, 22, 23, 29, 30, 1987; January 4, and 5, 1988.*
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
11. *Mr Daigeler*—Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation.

12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.
  13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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75. *Mrs Marland*—Enquiry of the Ministry—Would the Minister of Transportation advise whether Ministry staff have been instructed to prepare an engineering and design study for the construction of a sound barrier along the QEW, south side, from Erin Mills Parkway to Hurontario Street, on what date was the instruction issued, what form did the instruction take, and would the Minister provide a copy of that formal instruction. *December 30, 1987.*
-

## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated Thursday, January 7, 1988.*

## Ballot Item No. 10

*Mr Daigeler—Resolution—*That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation. *To be debated Thursday, January 7, 1988.*

## Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).*

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## BILLS REFERRED TO STANDING COMMITTEES

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987.*)

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## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* (*Referred December 2, 1987.*)

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* (*Déféré le 2 décembre 1987.*)

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## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987.)*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... (Completed Tuesday, December 8, 1987)
2. Energy ..... 5 hrs., 54 mins.  
(Includes supplementaries, first set)  
(Adjourned at Vote 1301, Item 1)
3. Attorney General ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Assembly .....               | 5 hrs. |
| <i>(Includes supplementaries, first set)</i>  |        |
| 2. Office of the Chief Election Officer ..... | 5 hrs. |

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

- |  |        |
|--|--------|
| 1. Office of the Ombudsman .....             | 5 hrs. |
| <i>(Includes supplementaries, first set)</i> |        |

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

- |  |  |
|--|--|
| 1. Office of the Provincial Auditor .. | <i>(Completed Thursday, December 17, 1987)</i> |
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## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

- |  |  |
|--|--|
| 1. Industry, Trade and Technology .          | <i>(Completed Thursday, December 10, 1987)</i> |
| 2. Housing .....                             | <i>(Completed Thursday, December 17, 1987)</i> |
| 3. Environment .....                         | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i> |  |
| 4. Agriculture and Food .....                | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i> |  |
| 5. Mines .....                               | 7 hrs., 30 mins.                               |
| 6. Municipal Affairs .....                   | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i> |  |
| 7. Natural Resources .....                   | 7 hrs., 30 mins.                               |
| 8. Tourism and Recreation .....              | 7 hrs., 30 mins.                               |
| 9. Transportation .....                      | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i> |  |

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... *(Completed Thursday, December 10, 1987)*
2. Office Responsible for  
     Disabled Persons ..... *(Completed Thursday, December 17, 1987)*
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
     Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
     *(Includes supplementaries, first set)*
7. Community and Social Services ..... 7 hrs., 30 mins.  
     *(Includes supplementaries, first set)*
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
     *(Includes supplementaries, first set)*
10. Skills Development ..... —  
     *(Supplementaries only, first set)*
11. Office Responsible for  
     Disabled Persons ..... —  
     *(Supplementaries only, first set)*



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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Thursday, January 7, 1988

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## THIRD READINGS

1. Bill 11, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund. *Mr Nixon (Brant-Haldimand).*\*
2. Bill 19, An Act to revise the Race Tracks Tax Act. *Mr Grandmaître.\**
3. Bill 20, An Act to provide an Incentive to Ontario Employees of Small and Medium Sized Corporations to Purchase Newly Issued Shares of their Employer Corporation. *Mr Grandmaître.\**
4. Bill 21, An Act to amend the Ministry of Revenue Act. *Mr Grandmaître.\**
5. Bill 25, An Act to amend the Travel Industry Act. *Mr Wrye.*
6. Bill 46, An Act to amend the Ontario Unconditional Grants Act. *Mr Eakins.\**
7. Bill 51, An Act to amend the Employment Standards Act. *Mr Sorbara.*
8. Bill 54, An Act to amend the Theatres Act. *Mr Wrye.*
9. Bill 55, An Act to amend the Upholstered and Stuffed Articles Act. *Mr Wrye.*
10. Bill 56, An Act to amend the Operating Engineers Act. *Mr Wrye.*

## GOVERNMENT BILLS AND ORDERS

11. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
12. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
13. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
14. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.*  
**IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

15. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**  
  
*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
16. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
17. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
18. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
19. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
20. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
21. *Resuming the Adjourned Debate on the Motion for Second Reading of* Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins.* **PRINTED.**
22. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
23. *Second Reading* Bill 58, An Act to amend the Ministry of Colleges and Universities Act. *Mrs McLeod.* **PRINTED.**
24. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
25. *Second Reading* Bill 61, An Act to amend the Municipality of Metropolitan Toronto Act. *Mrs Smith.* **PRINTED.**
26. *Second Reading* Bill 65, An Act to amend certain Acts administered by the Ministry of Agriculture and Food. *Mr Riddell.* **PRINTED.**
27. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
28. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
29. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

30. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
31. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
32. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
33. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
34. *Second Reading* Bill 79, An Act to amend the Legislative Assembly Act. *Mr Conway.* **PRINTED.\***
35. *Second Reading* Bill 80, An Act to amend the Executive Council Act. *Mr Conway.* **PRINTED.\***
36. *Second Reading* Bill 81, An Act to amend the Election Finances Act, 1986. *Mr Conway.* **PRINTED.**
37. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
38. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
39. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
40. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
41. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
42. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
43. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
44. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

45. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.*

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.*

46. *Concurrence in Supply* for the Ministry of Treasury and Economics.

47. *Concurrence in Supply* for the Ministry of Skills Development.

48. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.

49. *Concurrence in Supply* for the Office of the Provincial Auditor.

50. *Concurrence in Supply* for the Office Responsible for Disabled Persons.

51. *Concurrence in Supply* for the Ministry of Housing.

52. *House in Committee of Supply.*

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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 53. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

54. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

55. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

56. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

57. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

58. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

59. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

60. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

61. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

62. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

63. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

64. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

65. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

66. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

67. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

68. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
69. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
70. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
71. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
72. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
73. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
74. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
75. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
76. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
77. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
78. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
79. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
80. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
81. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
82. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
83. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
84. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

85. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
86. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
87. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
88. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
89. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
90. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
91. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
92. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
93. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
94. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
95. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
96. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.*

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### PRIVATE BILLS

97. *Second Reading* Bill Pr8, An Act respecting the City of Toronto. *Mr Offer.* **REPRINTED.**
98. *Second Reading* Bill Pr12, An Act to revive the Centre for Educative Growth. *Mr Morin.* **PRINTED.**
99. *Second Reading* Bill Pr13, An Act respecting Special Ability Riding Institute. *Mr Reycraft.* **PRINTED.**
100. *Second Reading* Bill Pr14, An Act respecting York Fire & Casualty Insurance Company. *Mr Cousens.* **REPRINTED.**

101. *Second Reading* Bill Pr21, An Act respecting the Association of Registered Wood Energy Technicians of Ontario. *Mr McGuigan.* **PRINTED.**
  102. *Second Reading* Bill Pr23, An Act to revive Sudbury Cardio-Thoracic Foundation. *Mr Campbell.* **PRINTED.**
  103. *Second Reading* Bill Pr26, An Act to revive 353583 Ontario Limited. *Mr Kanter.* **PRINTED.**
  104. *Second Reading* Bill Pr54, An Act to revive the Toronto Ski Club. *Mr Lipsett.* **PRINTED.**
  105. *Second Reading* Bill Pr69, An Act respecting the City of Windsor. *Mr Ray (Windsor-Walkerville).* **REPRINTED.**
  106. *Second Reading* Bill Pr70, An Act to revive Community Youth Programs Incorporated. *Mr Carrothers.* **PRINTED.**
  107. *Second Reading* Bill Pr71, An Act respecting Conrad Grebel College. *Mr Epp.* **REPRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part."

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

**"44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

**"46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

**"47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### "PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson—Résolution—Attendu:*

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions	«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.
Choix des sénateurs	(2) Jusqu'à la modification, fait conformément à l'article 41 de la <i>Loi constitutionnelle de 1982</i> , de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»
	3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit:
	« <i>Accords relatifs à l'immigration et aux aubains</i> »
Engagement	95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.
Accords	95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.
Restriction	(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.
Application de la Charte	(3) La <i>Charte canadienne des droits et libertés</i> s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.
Proclamation relative aux accords	95C. (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.
Modification des accords	(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

**«106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«**40.** Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

#### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

#### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

8. *Debated December 15, 16, 17, 21, 22, 23, 29, 30, 1987; January 4, 5 and 6, 1988.*
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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
11. *Mr Daigeler*—Resolution—That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation.

12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.
  13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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75. *Mrs Marland*—Enquiry of the Ministry—Would the Minister of Transportation advise whether Ministry staff have been instructed to prepare an engineering and design study for the construction of a sound barrier along the QEW, south side, from Erin Mills Parkway to Hurontario Street, on what date was the instruction issued, what form did the instruction take, and would the Minister provide a copy of that formal instruction. *December 30, 1987.*
  
76. *Mr Cousens*—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet advise how many additional employees have been hired, as of December 31, 1987, either full-time or on contract with the implementation of Bill 8, the French Language Services Act, within the civil service of the Province of Ontario. *January 7, 1988.*
  
77. *Mr Runciman*—Enquiry of the Ministry—Will the Solicitor General confirm or deny the rumours that the Ministry is considering a proposal to close the Ontario Provincial Police Detachment in the village of Westport and also the OPP Detachment in Brockville. If the Ministry is indeed considering such changes what action has been taken to date in respect of these proposed changes. What assurances can the Minister provide to assure the affected Provincial Police officers and residents of these respective municipalities that no such changes will be made and if such changes are being considered, will the Minister outline the rationale for such changes. *January 7, 1988.*
  
78. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table a list of all public opinion polls which have been commissioned since June 1985, the cost of conducting the survey, the date the survey will be or was completed, and the date the survey was or will be released. *January 7, 1988.*
  
79. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide the reasons for delaying for over two years the tabling of the Informetrica Report entitled "Possible Impacts of Free Trade on Canada, Ontario and Other Provinces" which was completed and presented to the Ministry in November 1985. *January 7, 1988.*
  
80. *Mr Brandt*—Enquiry of the Ministry—Would each Minister provide a list of all reports prepared for, or commissioned by, the Ministry with respect to free trade, which have yet to be released, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988.*

81. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table all reports prepared for, or commissioned by, the Ministry with respect to free trade that have been withheld from the public of Ontario. *January 7, 1988.*
  82. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide a list of all reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988.*
  83. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide the reasons for delaying for one full year the tabling of the December 1986 Angus Reid Associations Inc. report entitled “Ontario Freer Trade 1986 Public Attitude Survey” which was tabled in the Legislature on December 16, 1987. *January 7, 1988.*
  84. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology indicate the cost of the public opinion poll commissioned by him and prepared by Angus Reid Associations Inc. entitled “Ontario Freer Trade 1986 Public Attitude Survey”. *January 7, 1988.*
  85. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology table the reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988. *January 7, 1988.*
  86. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology indicate the cost of the public opinion poll commissioned by him and prepared by Goldfarb Consultants dated February 1987 and entitled “Attitudes Toward Sunday Shopping in Ontario”. *January 7, 1988.*
  87. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Community and Social Services provide a list of those individuals/firms operating commercial day care spaces, indicating the number of spaces licensed and their location, and in accordance with his statement of December 7, 1987, a list of those applicants for additional commercial day care spaces “in process in the Ministry’s area offices” indicating the number of spaces applied for and their location. *January 7, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated on the First Thursday of the Spring Session.*

## Ballot Item No. 10

*Mr Daigeler—Resolution—*That, in the opinion of this House, the members of the committees reviewing abortion applications to be performed in or through the recently announced women's clinics be chosen from the community itself in which these facilities are located and that these committees be required to substantiate in writing the facts of each case and why they warrant an abortion in conformity with the prescriptions of the Federal Legislation. *To be debated on the First Thursday of the Spring Session.*

## Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South). To be debated on the Second Thursday of the Spring Session.*

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## BILLS REFERRED TO STANDING COMMITTEES

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987.*)

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## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott.* (*Referred December 2, 1987.*)

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott.* (*Déféré le 2 décembre 1987.*)

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## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987.)*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

- |  |                  |
|--|------------------|
| 1. Lieutenant Governor,<br>Premier and Cabinet Office .....      | 7 hrs., 30 mins. |
| 2. Government Services .....                                     | 7 hrs., 30 mins. |
| 3. Intergovernmental Affairs .....                               | 7 hrs., 30 mins. |
| 4. Management Board of Cabinet .....                             | 7 hrs., 30 mins. |
| 5. Revenue .....<br><i>(Includes supplementaries, first set)</i> | 7 hrs., 30 mins. |
| 6. Francophone Affairs .....                                     | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

- |  |                  |
|--|------------------|
| 1. Treasury and Economics ..... <i>(Completed Tuesday, December 8, 1987)</i>                               |                  |
| 2. Energy .....<br><i>(Includes supplementaries, first set)</i><br><i>(Adjourned at Vote 1301, Item 1)</i> | 5 hrs., 54 mins. |
| 3. Attorney General .....<br><i>(Includes supplementaries, first set)</i>                                  | 7 hrs., 30 mins. |
| 4. Consumer and Commercial Relations .....<br><i>(Includes supplementaries, first set)</i>                 | 7 hrs., 30 mins. |
| 5. Correctional Services .....   | 7 hrs., 30 mins. |
| 6. Financial Institutions .....  | 7 hrs., 30 mins. |
| 7. Office Responsible for<br>Native Affairs .....  | 7 hrs., 30 mins. |
| 8. Solicitor General .....   | 7 hrs., 30 mins. |

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

- |  |                  |
|--|------------------|
| 1. Labour .....<br><i>(Adjourned at Vote 2101, Item 1)</i> | 3 hrs., 06 mins. |
| 2. Northern Development .....                              | 7 hrs., 30 mins. |
| 3. Office Responsible for<br>Women's Issues .....          | 7 hrs., 30 mins. |

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, first set)
2. Office of the Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office Responsible for  
Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
10. Skills Development ..... —  
(Supplementaries only, first set)
11. Office Responsible for  
Disabled Persons ..... —  
(Supplementaries only, first set)

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No. 36

# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Monday, February 8, 1988

## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
2. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
3. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

5. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
7. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
8. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
9. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
10. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
11. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
12. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
13. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.

14. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
15. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
16. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
19. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
20. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
21. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
22. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
23. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
24. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
27. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.*

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.*

29. *Concurrence in Supply* for the Ministry of Treasury and Economics.
30. *Concurrence in Supply* for the Ministry of Skills Development.
31. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
32. *Concurrence in Supply* for the Office of the Provincial Auditor.
33. *Concurrence in Supply* for the Office Responsible for Disabled Persons.
34. *Concurrence in Supply* for the Ministry of Housing.
35. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 36. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

37. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

38. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

39. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

40. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

41. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

42. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

43. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). **PRINTED.**

44. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). **PRINTED.**

45. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

46. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

47. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

48. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

49. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

50. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

51. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
52. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
53. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
54. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
55. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
56. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
57. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
58. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
59. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
62. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
63. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
64. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
65. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
66. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
67. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

68. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
  69. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
  70. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
  71. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
  72. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
  73. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
  74. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
  75. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
  76. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
  77. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
  78. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
  79. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.*
  80. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

101A. (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

101B. (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

101C. (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part."

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

**"44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons."

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

**"46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province."

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

**"47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution."

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### "PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson—Résolution—Attendu:*

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions	« <b>25.</b> (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.
Choix des sénateurs	(2) Jusqu'à la modification, fait conformément à l'article 41 de la <i>Loi constitutionnelle de 1982</i> , de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»
	<b>3.</b> La même loi est modifiée par insertion, après l'article 95, de ce qui suit:
	<i>«Accords relatifs à l'immigration et aux aubains»</i>
Engagement	<b>95A.</b> Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.
Accords	<b>95B.</b> (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.
Restriction	(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.
Application de la Charte	(3) La <i>Charte canadienne des droits et libertés</i> s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.
Proclamation relative aux accords	<b>95C.</b> (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.
Modification des accords	(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrément au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovibilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
11. *Withdrawn February 3, 1988.*
12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario

Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.

13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
  14. *Mr Daigeler* —Resolution—That, in the opinion of this House, in the interest of improved understanding between English and French-Canadians, this House urge the Government of Ontario to promote more wide ranging exchanges between francophone and anglophone communities in this country, and specifically, that the Government of Ontario be encouraged to establish twinning programs for Ontario and Quebec municipalities.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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### NOTE:

†Interim Answers to Questions 3 to 16 inclusive tabled November 30, 1987.  
Approximate date information available January 28, 1988.

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3. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Senior Citizens' Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
  
  4. *Miss Martel*—Enquiry of the Ministry—Would the Minister Without Portfolio Responsible for Disabled Persons list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
  
  5. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Colleges and Universities list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
  
  6. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Education list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
  
  7. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Municipal Affairs list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.†*
  
  8. *Miss Martel*—Enquiry of the Ministry—Would the Minister of the Environment list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-

Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†

9. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Northern Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
10. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Health list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
11. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Labour list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
12. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Skills Development list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
13. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Community and Social Services list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
14. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Consumer and Commercial Relations list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
15. *Miss Martel*—Enquiry of the Ministry—Would the Attorney General list all the advertising and communications programs and their budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†
16. *Miss Martel*—Enquiry of the Ministry—Would the Minister of Treasury and Economics list all the advertising and communications programs and their

budgets, undertaken by the Ministry designed to inform and acquaint Franco-Ontarians with the services which are, or will be, available as a result of the passage of the French Language Services Act, 1986. *November 16, 1987.*†

17. *Mr Wildman*—Enquiry of the Ministry—Would the Chairman of the Management Board of Cabinet provide the total number of unclassified staff contracts for each Ministry of the provincial government during the current fiscal year. *November 19, 1987. Interim Answer* tabled November 30, 1987. Approximate date information available January 29, 1988.
20. *Mr Mackenzie*—Enquiry of the Ministry—Would the Minister of Labour table in the Legislature the most complete information to which he has access concerning: (a) the numbers of men and women in the Ontario labour force who are earning minimum wage; (b) the numbers of male and female minimum wage earners in the Ontario labour force, according to the sectors in which they work; (c) the number of male and female minimum wage earners in the Ontario labour force, according to full or part time work status; (d) comparable figures for these questions for two years, five years and ten years ago. *November 25, 1987. Interim Answer* tabled December 8, 1987. Approximate date information available January 28, 1988.
26. *Mr McLean*—Enquiry of the Ministry—Would the Attorney General provide a list of the Justices of the Peace appointed in Ontario since July of 1985 including their names, addresses and regions. *December 2, 1987. Interim Answer* tabled December 15, 1987. Approximate date information available January 22, 1988.
27. *Answered January 4, 1988.*
31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987. Interim Answer* tabled December 14, 1987. Approximate date information available January 29, 1988.
32. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a list of all loans, grants, and approvals for loans or grants made under the renterprise program including who the loan or grant was to, for how much, resulting in how many affordable units, where located, what was the value of the land ascribed to each loan or grant and who approved the valuation of the land associated with each loan or grant approval. *December 3, 1987. Interim Answer* tabled December 8, 1987. Approximate date information available January 27, 1988.
38. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide an estimate of the details of the spending of Transitions money during the current fiscal year, including the estimated amount allocated to institutions of learning, the estimated amount allocated to employers, and the estimated amount allocated to administrative costs.

*December 3, 1987. Interim Answer* tabled December 17, 1987. Approximate date information available January 18, 1988.

49. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the full text of a letter concerning federal spending on job training which was sent by him to the Minister of Employment and Immigration and of which parts were reprinted by the *Globe and Mail* on November 30, 1987. *December 3, 1987.*
67. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have left their communications branch since June 1985, what the position was and whether that position has been filled. *December 9, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 31, 1988.
68. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have joined their communications branch since June 1985, what positions they have been hired for, what is the salary range for the position, was there an open or internal competition for the position and what advertising for the position took place. *December 9, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 31, 1988.
69. *Mr Philip* (Etobicoke-Rexdale)—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work contracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering. *December 10, 1987. Interim Answer* tabled December 22, 1987. Approximate date information available May 16, 1988.
70. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Government Services provide a detailed listing of all vacant provincially-owned lands under each Ministry; specifically, the location of the property, the lot size and acreage, and if available, proposed plans for the use of each site. *December 14, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 7, 1988.
71. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the cost for the new furniture and televisions for the office of all Ministers and their staff, as well as all members of the Legislature since June of 1985. *December 15, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available February 29, 1988.
72. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the names and the costs of the two lowest tenders for supplying furniture and televisions for the offices of all Ministers and their staff, as well as all members of the Legislature since June of 1985 and pro-

vide the name of the one that received the contract. *December 15, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available February 29, 1988.

74. *Mr Philip* (Etobicoke-Rexdale)—Enquiry of the Ministry—Would the Minister of Housing consider the request from Metro Council to the Province of Ontario that the Assessment Act be amended to exempt from taxation, property rented to churches where the church is liable for property taxes, under the terms of a lease and which had the church owned the property it would have received an exemption under the Act. Would the Minister inform the House when legislation might be introduced to correct the problem and does the Minister agree that there is discrimination under the present Assessment Act against those churches that rent property as compared to those who own property. Would the Minister also give a firm commitment that legislation will be introduced and if so, when will this legislation be introduced. *December 17, 1987.*
75. *Mrs Marland*—Enquiry of the Ministry—Would the Minister of Transportation advise whether Ministry staff have been instructed to prepare an engineering and design study for the construction of a sound barrier along the QEW, south side, from Erin Mills Parkway to Hurontario Street, on what date was the instruction issued, what form did the instruction take, and would the Minister provide a copy of that formal instruction. *December 30, 1987.*
76. *Mr Cousens*—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet advise how many additional employees have been hired, as of December 31, 1987, either full-time or on contract with the implementation of Bill 8, the French Language Services Act, within the civil service of the Province of Ontario. *January 7, 1988.*
77. *Mr Runciman*—Enquiry of the Ministry—Will the Solicitor General confirm or deny the rumours that the Ministry is considering a proposal to close the Ontario Provincial Police Detachment in the village of Westport and also the OPP Detachment in Brockville. If the Ministry is indeed considering such changes what action has been taken to date in respect of these proposed changes. What assurances can the Minister provide to assure the affected Provincial Police officers and residents of these respective municipalities that no such changes will be made and if such changes are being considered, will the Minister outline the rationale for such changes. *January 7, 1988.*
78. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table a list of all public opinion polls which have been commissioned since June 1985, the cost of conducting the survey, the date the survey will be or was completed, and the date the survey was or will be released. *January 7, 1988.*
79. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide the reasons for delaying for over two years the tabling of the Informetrica Report entitled "Possible Impacts of Free Trade on Canada, Ontario and Other Provinces" which was completed and presented to the Ministry in November 1985. *January 7, 1988.*

80. *Mr Brandt*—Enquiry of the Ministry—Would each Minister provide a list of all reports prepared for, or commissioned by, the Ministry with respect to free trade, which have yet to be released, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988.*
  81. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table all reports prepared for, or commissioned by, the Ministry with respect to free trade that have been withheld from the public of Ontario. *January 7, 1988.*
  82. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide a list of all reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988.*
  83. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide the reasons for delaying for one full year the tabling of the December 1986 Angus Reid Associations Inc. report entitled “Ontario Freer Trade 1986 Public Attitude Survey” which was tabled in the Legislature on December 16, 1987. *January 7, 1988.*
  84. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology indicate the cost of the public opinion poll commissioned by him and prepared by Angus Reid Associations Inc. entitled “Ontario Freer Trade 1986 Public Attitude Survey”. *January 7, 1988.*
  85. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology table the reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988. *January 7, 1988.*
  86. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology indicate the cost of the public opinion poll commissioned by him and prepared by Goldfarb Consultants dated February 1987 and entitled “Attitudes Toward Sunday Shopping in Ontario”. *January 7, 1988.*
  87. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Community and Social Services provide a list of those individuals/firms operating commercial day care spaces, indicating the number of spaces licensed and their location, and in accordance with his statement of December 7, 1987, a list of those applicants for additional commercial day care spaces “in process in the Ministry’s area offices” indicating the number of spaces applied for and their location. *January 7, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated on Thursday, February 11, 1988.*

## Ballot Item No. 10

*Mr Daigeler—Resolution—*That, in the opinion of this House, in the interest of improved understanding between English and French-Canadians, this House urge the Government of Ontario to promote more wide ranging exchanges between francophone and anglophone communities in this country, and specifically, that the Government of Ontario be encouraged to establish twinning programs for Ontario and Quebec municipalities. *To be debated on Thursday, February 11, 1988.*

## Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).*

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## BILLS REFERRED TO STANDING COMMITTEES

## STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon* (Brant-Haldimand). (*Referred December 8, 1987.*)\*

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## STANDING COMMITTEE ON GENERAL GOVERNMENT

Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act. *Mr Eakins*. (*Referred January 7, 1988.*)

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## STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Bill 1, An Act to provide for greater Certainty in the Reconciliation of the Personal Interests of Members of the Assembly and the Executive Council with their Duties of Office. *Mr Scott*. (*Referred December 2, 1987.*)

Projet de loi 1, Loi assurant une plus grande certitude quant au rapprochement des intérêts personnels des membres de l'Assemblée et du Conseil des ministres avec les devoirs de leurs fonctions. *M. Scott*. (*Déféré le 2 décembre 1987.*)

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\*Lieutenant Governor's Recommendation received.

## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## BILL REFERRED TO THE COMMISSIONERS OF ESTATE BILLS

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred November 9, 1987.)*

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987.)*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). *(Referred by Order of the House on January 7, 1988.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. *(Referred by Order of the House on January 7, 1988.)*

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... *(Completed Tuesday, December 8, 1987)*
2. Energy ..... 5 hrs., 54 mins.  
*(Includes supplementaries, first set)*  
*(Adjourned at Vote 1301, Item 1)*
3. Attorney General ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
*(Adjourned at Vote 2101, Item 1)*
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, first set)
2. Office of the Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)

# IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office Responsible for  
Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
10. Skills Development ..... —  
(Supplementaries only, first set)
11. Office Responsible for  
Disabled Persons ..... —  
(Supplementaries only, first set)





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No. 37

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Tuesday, February 9, 1988

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## GOVERNMENT BILLS AND ORDERS

### 1. *Committee of the Whole House:*

Bill 1, An Act respecting Conflicts of Interest of Members of the Assembly and the Executive Council. *Mr Scott.* **REPRINTED.**

Projet de loi 1, Loi concernant les conflits d'intérêts des membres de l'Assemblée et du Conseil des ministres. *M. Scott.* **RÉIMPRIMÉ.**

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon.* (Brant-Haldimand). **REPRINTED.\***

2. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**

3. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**

4. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**

5. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

7. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**

8. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**

9. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**

10. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

11. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
12. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
13. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
14. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
15. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
16. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
19. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
20. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
21. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
22. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
23. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
24. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
25. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
27. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott*. **IMPRIMÉ.**

29. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott*. **IMPRIMÉ.**

30. *Concurrence in Supply* for the Ministry of Treasury and Economics.
31. *Concurrence in Supply* for the Ministry of Skills Development.
32. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
33. *Concurrence in Supply* for the Office of the Provincial Auditor.
34. *Concurrence in Supply* for the Office Responsible for Disabled Persons.
35. *Concurrence in Supply* for the Ministry of Housing.
36. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 37. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.*  
**PRINTED.**

38. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

39. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

40. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

41. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

42. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

43. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

44. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston (Scarborough West).* **PRINTED.**

45. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston (Scarborough West).* **PRINTED.**

46. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

47. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

48. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

49. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

50. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

51. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

52. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
53. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
54. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
55. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
56. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
57. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
58. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
59. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
63. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
64. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
65. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
66. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
67. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
68. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

69. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
  70. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
  71. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
  72. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
  73. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
  74. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
  75. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
  76. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
  77. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
  78. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
  79. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
  80. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
  81. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
  82. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.*
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-*  
*tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

**7.** The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

**8.** The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

- (b) roles and responsibilities in relation to fisheries; and
- (c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson—Résolution—Attendu:*

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions «**25.** (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des sénateurs (2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

**3.** La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

*«Accords relatifs à l'immigration et aux aubains»*

Engagement **95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords **95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

Restriction (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application de la Charte (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation relative aux accords **95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification des accords (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agrément au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

**7.** La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

148. Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

149. Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compensation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman* —Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart* —Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
12. *Mr Runciman* —Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.

13. *Mr Sterling* —Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
  14. *Mr Daigeler* —Resolution—That, in the opinion of this House, and in the interest of improved understanding between English and French-Canadians, the Government of Ontario be invited to promote more wide ranging exchanges between francophone and anglophone communities in this country, and specifically, that the Government of Ontario be encouraged to establish twinning programs for Ontario and Quebec municipalities.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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76. *Mr Cousens*—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet advise how many additional employees have been hired, as of December 31, 1987, either full-time or on contract with the implementation of Bill 8, the French Language Services Act, within the civil service of the Province of Ontario. *January 7, 1988.*
  
77. *Mr Runciman*—Enquiry of the Ministry—Will the Solicitor General confirm or deny the rumours that the Ministry is considering a proposal to close the Ontario Provincial Police Detachment in the village of Westport and also the OPP Detachment in Brockville. If the Ministry is indeed considering such changes what action has been taken to date in respect of these proposed changes. What assurances can the Minister provide to assure the affected Provincial Police officers and residents of these respective municipalities that no such changes will be made and if such changes are being considered, will the Minister outline the rationale for such changes. *January 7, 1988.*
  
78. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table a list of all public opinion polls which have been commissioned since June 1985, the cost of conducting the survey, the date the survey will be or was completed, and the date the survey was or will be released. *January 7, 1988.*
  
79. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide the reasons for delaying for over two years the tabling of the Informetrica Report entitled “Possible Impacts of Free Trade on Canada, Ontario and Other Provinces” which was completed and presented to the Ministry in November 1985. *January 7, 1988.*
  
80. *Mr Brandt*—Enquiry of the Ministry—Would each Minister provide a list of all reports prepared for, or commissioned by, the Ministry with respect to free trade, which have yet to be released, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988.*
  
81. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table all reports prepared for, or commissioned by, the Ministry with respect to free trade that have been withheld from the public of Ontario. *January 7, 1988.*
  
82. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide a list of all reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988, indicating the author(s) of the reports, the dates the reports

were completed, and the reasons why the reports have not been made public. *January 7, 1988.*

83. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide the reasons for delaying for one full year the tabling of the December 1986 Angus Reid Associations Inc. report entitled “Ontario Freer Trade 1986 Public Attitude Survey” which was tabled in the Legislature on December 16, 1987. *January 7, 1988.*
84. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology indicate the cost of the public opinion poll commissioned by him and prepared by Angus Reid Associations Inc. entitled “Ontario Freer Trade 1986 Public Attitude Survey”. *January 7, 1988.*
85. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology table the reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988. *January 7, 1988.*
86. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology indicate the cost of the public opinion poll commissioned by him and prepared by Goldfarb Consultants dated February 1987 and entitled “Attitudes Toward Sunday Shopping in Ontario”. *January 7, 1988.*
87. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Community and Social Services provide a list of those individuals/firms operating commercial day care spaces, indicating the number of spaces licensed and their location, and in accordance with his statement of December 7, 1987, a list of those applicants for additional commercial day care spaces “in process in the Ministry’s area offices” indicating the number of spaces applied for and their location. *January 7, 1988.*
88. *Mrs Marland*—Enquiry of the Ministry—Would the Minister of the Environment release an update report, using the most recent data available, to the “Ontario Ministry of the Environment Waste Site Inventories” which was originally released in July 1986 and contains unvalidated and outdated statistics from 1984. *February 9, 1988.*
89. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the number of assisted housing units available in Ontario, which of these are funded through, Federal, Provincial or Municipal programs and the dollar level of funding. *February 9, 1988.*
90. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing indicate how many new assisted housing units have been announced since she became Minister and how many of these will be ready for occupation by December 31, 1988. *February 9, 1988.*

91. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the waiting list for assisted Housing in the Province. *February 9, 1988.*
  92. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide an analysis of the number of individuals who will be added to the assisted housing waiting lists as a result of her announcement that low income singles and couples without children will be eligible for assisted housing. *February 9, 1988.*
  93. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Northern Development indicate the costs incurred in establishing the Northern Heritage Fund which was announced in the April 1987 Throne Speech, a list of all projects approved for funding under the Fund, the amounts for each project and, the administration costs to date of this program. *February 9, 1988.*
  94. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Labour provide a report on the current television advertisements being run by the Workers' Compensation Board. Specifically, what is the total cost of this campaign, what medium are being used and who is the intended audience. *February 9, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated on Thursday, February 11, 1988.*

## Ballot Item No. 10

*Mr Daigeler—Resolution—*That, in the opinion of this House, and in the interest of improved understanding between English and French-Canadians, the Government of Ontario be invited to promote more wide ranging exchanges between francophone and anglophone communities in this country, and specifically, that the Government of Ontario be encouraged to establish twinning programs for Ontario and Quebec municipalities. *To be debated on Thursday, February 11, 1988.*

## Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart. (Referred February 8, 1988.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred February 8, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter. (Referred February 8, 1988.)*

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter. (Referred November 30, 1987.)*

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray (Windsor-Walkerville). (Referred December 21, 1987.)*

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton. (Referred December 3, 1987.)*

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier. (Referred December 10, 1987.)*

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville. (Referred December 17, 1987.)*

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## BILL AWAITING ROYAL ASSENT

Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act.

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. *(Referred by Order of the House on November 30, 1987.)*

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... (Completed Tuesday, December 8, 1987)
2. Energy ..... 5 hrs., 54 mins.  
(Includes supplementaries, first set)  
(Adjourned at Vote 1301, Item 1)
3. Attorney General ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, first set)
2. Office of the Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . (Completed Thursday, December 10, 1987)
2. Housing ..... (Completed Thursday, December 17, 1987)
3. Environment ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Agriculture and Food ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Natural Resources ..... 7 hrs., 30 mins.
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... *(Completed Thursday, December 10, 1987)*
2. Office Responsible for  
   Disabled Persons ..... *(Completed Thursday, December 17, 1987)*
3. Education ..... 7 hrs., 30 mins.
4. Office Responsible for  
   Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
7. Community and Social Services ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
   *(Includes supplementaries, first set)*
10. Skills Development ..... —  
   *(Supplementaries only, first set)*
11. Office Responsible for  
   Disabled Persons ..... —  
   *(Supplementaries only, first set)*



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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Wednesday, February 10, 1988

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## GOVERNMENT BILLS AND ORDERS

1. *Committee of the Whole House:*

Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon.* (Brant-Haldimand). **REPRINTED.\***

2. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**

3. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**

4. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**

5. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

7. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**

8. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**

9. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**

10. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**

11. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**

12. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

13. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
14. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
15. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
16. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
19. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
20. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
21. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
22. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
23. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
24. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
25. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
27. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott*. **IMPRIMÉ.**

29. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott*. **IMPRIMÉ.**

30. *Concurrence in Supply* for the Ministry of Treasury and Economics.
31. *Concurrence in Supply* for the Ministry of Skills Development.
32. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
33. *Concurrence in Supply* for the Office of the Provincial Auditor.
34. *Concurrence in Supply* for the Office Responsible for Disabled Persons.
35. *Concurrence in Supply* for the Ministry of Housing.
36. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 37. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

38. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

39. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

40. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

41. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

42. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

43. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

44. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). **PRINTED.**

45. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). **PRINTED.**

46. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

47. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

48. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

49. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

50. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

51. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

52. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
53. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
54. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
55. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
56. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
57. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
58. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
59. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
63. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
64. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
65. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
66. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
67. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
68. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

69. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
  70. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
  71. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
  72. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
  73. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
  74. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
  75. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
  76. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
  77. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
  78. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
  79. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
  80. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
  81. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
  82. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

## SCHEDULE

### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-  
tation:*

“2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

**2.** The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“**25.** (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

**3.** The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

**95A.** The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

## Application of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

## Proclamation relating to agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

## Amendment of agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application of sections 46 to 48 of *Constitution Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

## Amendments to sections 95A to 95D or this section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

**14.** Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

**15.** Section 61 of the said Act is repealed and the following substituted therefor:

References

“**61.** A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

**16.** Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

**17.** This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

- a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;
- b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions	<p>«<b>25.</b> (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.</p>
Choix des sénateurs	<p>(2) Jusqu'à la modification, fait conformément à l'article 41 de la <i>Loi constitutionnelle de 1982</i>, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»</p> <p><b>3.</b> La même loi est modifiée par insertion, après l'article 95, de ce qui suit:</p> <p><i>«Accords relatifs à l'immigration et aux aubains»</i></p>
Engagement	<p><b>95A.</b> Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.</p>
Accords	<p><b>95B.</b> (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.</p>
Restriction	<p>(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.</p>
Application de la Charte	<p>(3) La <i>Charte canadienne des droits et libertés</i> s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.</p>
Proclamation relative aux accords	<p><b>95C.</b> (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.</p>
Modification des accords	<p>(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:</p>

- a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;
- b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitu-  
tionnelle de  
1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

*«Dispositions générales»*

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

*«Tribunaux créés par le Parlement du Canada»*

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compensation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
  14. *Mr Daigeler*—Resolution—That, in the opinion of this House, and in the interest of improved understanding between English and French-Canadians, the Government of Ontario be invited to promote more wide ranging exchanges between francophone and anglophone communities in this country, and specifically, that the Government of Ontario be encouraged to establish twinning programs for Ontario and Quebec municipalities.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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76. *Mr Cousens*—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet advise how many additional employees have been hired, as of December 31, 1987, either full-time or on contract with the implementation of Bill 8, the French Language Services Act, within the civil service of the Province of Ontario. *January 7, 1988.*
  
77. *Mr Runciman*—Enquiry of the Ministry—Will the Solicitor General confirm or deny the rumours that the Ministry is considering a proposal to close the Ontario Provincial Police Detachment in the village of Westport and also the OPP Detachment in Brockville. If the Ministry is indeed considering such changes what action has been taken to date in respect of these proposed changes. What assurances can the Minister provide to assure the affected Provincial Police officers and residents of these respective municipalities that no such changes will be made and if such changes are being considered, will the Minister outline the rationale for such changes. *January 7, 1988.*
  
78. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table a list of all public opinion polls which have been commissioned since June 1985, the cost of conducting the survey, the date the survey will be or was completed, and the date the survey was or will be released. *January 7, 1988. Interim Answer* tabled February 8, 1988. Approximate date information available April 18, 1988.
  
79. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide the reasons for delaying for over two years the tabling of the Informetrica Report entitled “Possible Impacts of Free Trade on Canada, Ontario and Other Provinces” which was completed and presented to the Ministry in November 1985. *January 7, 1988.*
  
80. *Mr Brandt*—Enquiry of the Ministry—Would each Minister provide a list of all reports prepared for, or commissioned by, the Ministry with respect to free trade, which have yet to be released, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988.*
  
81. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table all reports prepared for, or commissioned by, the Ministry with respect to free trade that have been withheld from the public of Ontario. *January 7, 1988.*
  
82. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide a list of all reports to which he referred in responding to my initial question in the Legislature on Wednesday, Janu-

ary 6, 1988, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988.*

83. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide the reasons for delaying for one full year the tabling of the December 1986 Angus Reid Associations Inc. report entitled “Ontario Freer Trade 1986 Public Attitude Survey” which was tabled in the Legislature on December 16, 1987. *January 7, 1988.*
84. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology indicate the cost of the public opinion poll commissioned by him and prepared by Angus Reid Associations Inc. entitled “Ontario Freer Trade 1986 Public Attitude Survey”. *January 7, 1988.*
85. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology table the reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988. *January 7, 1988.*
86. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology indicate the cost of the public opinion poll commissioned by him and prepared by Goldfarb Consultants dated February 1987 and entitled “Attitudes Toward Sunday Shopping in Ontario”. *January 7, 1988.*
87. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Community and Social Services provide a list of those individuals/firms operating commercial day care spaces, indicating the number of spaces licensed and their location, and in accordance with his statement of December 7, 1987, a list of those applicants for additional commercial day care spaces “in process in the Ministry’s area offices” indicating the number of spaces applied for and their location. *January 7, 1988. Interim Answer* tabled February 8, 1988. Approximate date information available February 13, 1988.
88. *Mrs Marland*—Enquiry of the Ministry—Would the Minister of the Environment release an update report, using the most recent data available, to the “Ontario Ministry of the Environment Waste Site Inventories” which was originally released in July 1986 and contains unvalidated and outdated statistics from 1984. *February 9, 1988.*
89. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the number of assisted housing units available in Ontario, which of these are funded through, Federal, Provincial or Municipal programs and the dollar level of funding. *February 9, 1988.*
90. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing indicate how many new assisted housing units have been announced since she became Minister and how many of these will be ready for occupation by December 31, 1988. *February 9, 1988.*

91. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the waiting list for assisted Housing in the Province. *February 9, 1988.*
  92. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide an analysis of the number of individuals who will be added to the assisted housing waiting lists as a result of her announcement that low income singles and couples without children will be eligible for assisted housing. *February 9, 1988.*
  93. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Northern Development indicate the costs incurred in establishing the Northern Heritage Fund which was announced in the April 1987 Throne Speech, a list of all projects approved for funding under the Fund, the amounts for each project and, the administration costs to date of this program. *February 9, 1988.*
  94. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Labour provide a report on the current television advertisements being run by the Workers' Compensation Board. Specifically, what is the total cost of this campaign, what medium are being used and who is the intended audience. *February 9, 1988.*
  95. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Skills Development provide the following information with respect to the publication "Skills Ontario—Training: We can all profit from it". (1) Number of copies printed; (2) Total cost of booklets; (3) Cost per copy; (4) Distribution costs; (5) Target audience for publication. *February 10, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated on Thursday, February 11, 1988.*

## Ballot Item No. 10

*Mr Daigeler—Resolution—*That, in the opinion of this House, and in the interest of improved understanding between English and French-Canadians, the Government of Ontario be invited to promote more wide ranging exchanges between francophone and anglophone communities in this country, and specifically, that the Government of Ontario be encouraged to establish twinning programs for Ontario and Quebec municipalities. *To be debated on Thursday, February 11, 1988.*

## Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart. (Referred February 8, 1988.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred February 8, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter.* (Referred February 9, 1988.)

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter.* (Referred February 8, 1988.)

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter.* (Referred November 30, 1987.)

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray* (Windsor-Walkerville). (Referred December 21, 1987.)

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton.* (Referred December 3, 1987.)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* (Referred December 10, 1987.)

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville.* (Referred December 17, 1987.)

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## BILLS AWAITING ROYAL ASSENT

Bill 1, An Act respecting Conflicts of Interest of Members of the Assembly and the Executive Council / Loi concernant les conflits d'intérêts des membres de l'Assemblée et du Conseil des ministres.

Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act.

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (Referred by Order of the House on November 30, 1987.)

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). *(Referred by Order of the House on January 7, 1988.)*

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### STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. *(Referred by Order of the House on January 7, 1988.)*

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... (Completed Tuesday, December 8, 1987)
2. Energy ..... 5 hrs., 54 mins.  
(Includes supplementaries, first set)  
(Adjourned at Vote 1301, Item 1)
3. Attorney General ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)  
(Includes supplementaries, second set)
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Assembly .....               | 5 hrs. |
| <i>(Includes supplementaries, first set)</i>  |        |
| 2. Office of the Chief Election Officer ..... | 5 hrs. |

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

- |  |        |
|--|--------|
| 1. Office of the Ombudsman .....             | 5 hrs. |
| <i>(Includes supplementaries, first set)</i> |        |

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

- |  |  |
|--|--|
| 1. Office of the Provincial Auditor .. | <i>(Completed Thursday, December 17, 1987)</i> |
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## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Industry, Trade and Technology ..          | <i>(Completed Thursday, December 10, 1987)</i> |
| 2. Housing .....                              | <i>(Completed Thursday, December 17, 1987)</i> |
| 3. Environment .....                          | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i>  |  |
| 4. Agriculture and Food .....                 | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i>  |  |
| 5. Mines .....                                | 7 hrs., 30 mins.                               |
| 6. Municipal Affairs .....                    | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i>  |  |
| <i>(Includes supplementaries, second set)</i> |  |
| 7. Natural Resources .....                    | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i>  |  |
| 8. Tourism and Recreation .....               | 7 hrs., 30 mins.                               |
| 9. Transportation .....                       | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i>  |  |
| 10. Industry, Trade and Technology .....      | —  |
| <i>(Supplementaries only, first set)</i>      |  |
| 11. Housing .....                             | —  |
| <i>(Supplementaries only, first set)</i>      |  |

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... (Completed Thursday, December 10, 1987)
2. Office Responsible for  
Disabled Persons ..... (Completed Thursday, December 17, 1987)
3. Education ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
7. Community and Social Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)  
(Includes supplementaries, second set)
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)  
(Includes supplementaries, second set)
10. Skills Development ..... —  
(Supplementaries only, first set)
11. Office Responsible for  
Disabled Persons ..... —  
(Supplementaries only, first set)



E. K. 064  
- 082

No. 39

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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Thursday, February 11, 1988

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## THIRD READING

1. *Resuming the Adjourned Debate* on the Motion for Third Reading of Bill 2, An Act to establish the Ontario Automobile Insurance Board and to provide for the Review of Automobile Insurance Rates. *Mr Nixon.* (Brant-Haldimand).\*

## GOVERNMENT BILLS AND ORDERS

2. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
3. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
4. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
5. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**

6. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**

7. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
8. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
9. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
10. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
11. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
12. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

13. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
14. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***
15. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
16. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
19. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
20. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
21. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
22. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
23. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
24. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
25. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
27. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott*. **IMPRIMÉ.**

29. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott*. **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott*. **IMPRIMÉ.**

30. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton*.

31. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton*.

32. *Concurrence in Supply* for the Ministry of Treasury and Economics.

33. *Concurrence in Supply* for the Ministry of Skills Development.

34. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.

35. *Concurrence in Supply* for the Office of the Provincial Auditor.

36. *Concurrence in Supply* for the Office Responsible for Disabled Persons.

37. *Concurrence in Supply* for the Ministry of Housing.

38. *House in Committee of Supply*.
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

39. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

40. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

41. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

42. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

43. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

44. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

45. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

46. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). **PRINTED.**

47. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). **PRINTED.**

48. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

49. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

50. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

51. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

52. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

53. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

54. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
55. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
56. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
57. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
58. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
59. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
63. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
65. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
66. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
67. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
68. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
69. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**
70. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**

71. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
  72. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
  73. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
  74. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
  75. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
  76. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
  77. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
  78. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
  79. *Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**
  80. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
  81. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
  82. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
  83. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
  84. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
  85. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.*
  86. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.*
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effects to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

Constitution Act, 1967

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

*Interpre-*  
*tation:*

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

- (a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present

elsewhere in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

- (b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1) (a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to the vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the need and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized.

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

Amendments  
to sections  
95A to 95D  
or this  
section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada”*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada, or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except where

the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.,  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

**"106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII—CONFERENCES ON THE ECONOMY AND OTHER MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such matters as may be appropriate.

XIII—REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted thereof:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

- (a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;
- (b) the powers of the Senate and the method of selecting Senators;
- (c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;
- (d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;
- (e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;
- (f) subject to section 43, the use of the English or the French language;
- (g) the Supreme Court of Canada;

- (h) the extension of existing provinces into the territories;
- (i) notwithstanding any other law or practice, the establishment of new provinces, and
- (j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An Amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted thereof:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitutional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of each provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

- (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

*General*

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

*M. Peterson*—Résolution—Attendu:

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions de Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec:

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

«(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit:

Propositions «**25.** (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des sénateurs (2) Jusqu'à la modification, fait conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

**3.** La même loi est modifiée par insertion, après l'article 95, de ce qui suit:

*«Accords relatifs à l'immigration et aux aubains»*

Engagement **95A.** Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords **95B.** (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

Restriction (2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application de la Charte (3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation relative aux accords **95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification des accords (2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée:

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiées conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit:

«*Dispositions générales*»

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit:

«*Tribunaux créés par le Parlement du Canada*»

**6.** La même loi est modifiée par insertion, après l'article 101, de ce qui suit:

«*Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quelle territoire.

Québec:  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces  
Inamovi-  
bilité,  
traitement,  
etc.

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières à visées l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait ou de toute autre question.»

7. La même loi est modifiée par insertion, après l'article 106, de ce qui suit:

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargis-  
sement des  
compétences  
législatives

(2) Le présent article n'élargit pas le compétences législatives du Parlement du Canada ou des législatures des provinces.»

8. La même loi est modifiée par insertion, après l'article 147, de ce qui suit:

«XII.—CONFÉRENCES SUR L'ÉCONOMIE ET  
SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

XIII.—MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

*Loi constitutionnelle de 1982*

9. Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit:

Compensation

«**40.** Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38 (1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consentement  
unanime

**41.** Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province:

- a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;
- b) les pouvoirs du Sénat et le mode de sélection des sénateurs.
- c) le nombre des sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;
- d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

- e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;
- f) sous réserve de l'article 43, l'usage du français ou de l'anglais;
- g) la Cour suprême du Canada;
- h) le rattachement aux provinces existantes de tout ou partie des territoires;
- i) par dérogation à toute autre loi ou usage, la création de provinces;
- j) la modification de la présente partie.»

**10.** L'article 44 de la même loi est abrogé et remplacé par ce qui suit:

Modification  
par le  
Parlement

«**44.** Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46 (1) de la même loi est abrogé et remplacé par ce qui suit:

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.

**12.** Le paragraphe 47 (1) de la même loi est abrogé et remplacé par ce qui suit:

Modification  
sans  
résolution du  
Sénat

«**47.** (1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit:

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes:

- a) la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;
- b) les rôles et les responsabilités en matière de pêches;
- c) toutes autres questions dont il est convenu.»

14. Le paragraphe 52 (2) de la même loi est modifié par adjonction de ce qui suit:

«d) les autres modifications qui lui sont apportées.»

15. L'article 61 de la même loi est abrogé et remplacé par ce qui suit:

Mentions

«61. Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

### *Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

16. L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

### TITRE

Titre

17. Titre de la présente modification: *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.

13. *Mr Sterling*—Résolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
  14. *Mr Daigeler*—Resolution—That, in the opinion of this House, and in the interest of improved understanding between English and French-Canadians, the Government of Ontario be invited to promote more wide ranging exchanges between francophone and anglophone communities in this country, and specifically, that the Government of Ontario be encouraged to establish twinning programs for Ontario and Quebec municipalities.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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76. *Mr Cousens*—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet advise how many additional employees have been hired, as of December 31, 1987, either full-time or on contract with the implementation of Bill 8, the French Language Services Act, within the civil service of the Province of Ontario. *January 7, 1988.*
  
77. *Mr Runciman*—Enquiry of the Ministry—Will the Solicitor General confirm or deny the rumours that the Ministry is considering a proposal to close the Ontario Provincial Police Detachment in the village of Westport and also the OPP Detachment in Brockville. If the Ministry is indeed considering such changes what action has been taken to date in respect of these proposed changes. What assurances can the Minister provide to assure the affected Provincial Police officers and residents of these respective municipalities that no such changes will be made and if such changes are being considered, will the Minister outline the rationale for such changes. *January 7, 1988.*
  
78. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table a list of all public opinion polls which have been commissioned since June 1985, the cost of conducting the survey, the date the survey will be or was completed, and the date the survey was or will be released. *January 7, 1988. Interim Answer* tabled February 8, 1988. Approximate date information available April 18, 1988.
  
79. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide the reasons for delaying for over two years the tabling of the Informetrica Report entitled “Possible Impacts of Free Trade on Canada, Ontario and Other Provinces” which was completed and presented to the Ministry in November 1985. *January 7, 1988.*
  
80. *Mr Brandt*—Enquiry of the Ministry—Would each Minister provide a list of all reports prepared for, or commissioned by, the Ministry with respect to free trade, which have yet to be released, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988.*
  
81. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table all reports prepared for, or commissioned by, the Ministry with respect to free trade that have been withheld from the public of Ontario. *January 7, 1988.*
  
82. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide a list of all reports to which he referred in responding to my initial question in the Legislature on Wednesday, Janu-

ary 6, 1988, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988.*

83. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide the reasons for delaying for one full year the tabling of the December 1986 Angus Reid Associations Inc. report entitled “Ontario Freer Trade 1986 Public Attitude Survey” which was tabled in the Legislature on December 16, 1987. *January 7, 1988.*
84. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology indicate the cost of the public opinion poll commissioned by him and prepared by Angus Reid Associations Inc. entitled “Ontario Freer Trade 1986 Public Attitude Survey”. *January 7, 1988.*
85. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology table the reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988. *January 7, 1988.*
86. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology indicate the cost of the public opinion poll commissioned by him and prepared by Goldfarb Consultants dated February 1987 and entitled “Attitudes Toward Sunday Shopping in Ontario”. *January 7, 1988.*
87. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Community and Social Services provide a list of those individuals/firms operating commercial day care spaces, indicating the number of spaces licensed and their location, and in accordance with his statement of December 7, 1987, a list of those applicants for additional commercial day care spaces “in process in the Ministry’s area offices” indicating the number of spaces applied for and their location. *January 7, 1988. Interim Answer* tabled February 8, 1988. Approximate date information available February 13, 1988.
88. *Mrs Marland*—Enquiry of the Ministry—Would the Minister of the Environment release an update report, using the most recent data available, to the “Ontario Ministry of the Environment Waste Site Inventories” which was originally released in July 1986 and contains unvalidated and outdated statistics from 1984. *February 9, 1988.*
89. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the number of assisted housing units available in Ontario, which of these are funded through, Federal, Provincial or Municipal programs and the dollar level of funding. *February 9, 1988.*
90. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing indicate how many new assisted housing units have been announced since she became Minister and how many of these will be ready for occupation by December 31, 1988. *February 9, 1988.*

91. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the waiting list for assisted Housing in the Province. *February 9, 1988.*
  92. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide an analysis of the number of individuals who will be added to the assisted housing waiting lists as a result of her announcement that low income singles and couples without children will be eligible for assisted housing. *February 9, 1988.*
  93. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Northern Development indicate the costs incurred in establishing the Northern Heritage Fund which was announced in the April 1987 Throne Speech, a list of all projects approved for funding under the Fund, the amounts for each project and, the administration costs to date of this program. *February 9, 1988.*
  94. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Labour provide a report on the current television advertisements being run by the Workers' Compensation Board. Specifically, what is the total cost of this campaign, what medium are being used and who is the intended audience. *February 9, 1988.*
  95. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Skills Development provide the following information with respect to the publication "Skills Ontario—Training: We can all profit from it". (1) Number of copies printed; (2) Total cost of booklets; (3) Cost per copy; (4) Distribution costs; (5) Target audience for publication. *February 10, 1988.*
  96. *Mr Charlton*—Enquiry of the Ministry—Would the Minister of Energy table letters, petitions and briefs received and name deputations heard or planned with respect to Bill 82, An Act respecting Energy Efficiency. *February 11, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

## Ballot Item No. 9

*Second Reading* Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz. To be debated today.*

## Ballot Item No. 10

*Mr Daigeler*—Resolution—That, in the opinion of this House, and in the interest of improved understanding between English and French-Canadians, the Government of Ontario be invited to promote more wide ranging exchanges between francophone and anglophone communities in this country, and specifically, that the Government of Ontario be encouraged to establish twinning programs for Ontario and Quebec municipalities. *To be debated today.*

## Ballot Item No. 11

*Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).*

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## BILLS REFERRED TO STANDING COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart. (Referred February 8, 1988.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breaugh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred February 8, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter.* (Referred February 9, 1988.)

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter.* (Referred February 8, 1988.)

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter.* (Referred November 30, 1987.)

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray* (Windsor-Walkerville). (Referred December 21, 1987.)

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton.* (Referred December 3, 1987.)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.* (Referred December 10, 1987.)

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr Reville.* (Referred December 17, 1987.)

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## BILLS AWAITING ROYAL ASSENT

Bill 1, An Act respecting Conflicts of Interest of Members of the Assembly and the Executive Council / Loi concernant les conflits d'intérêts des membres de l'Assemblée et du Conseil des ministres.

Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act.

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## MATTER REFERRED TO SELECT COMMITTEE

### SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (Referred by Order of the House on November 30, 1987.)

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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### STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). *(Referred by Order of the House on January 7, 1988.)*

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### STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. *(Referred by Order of the House on January 7, 1988.)*

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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... (Completed Tuesday, December 8, 1987)
2. Energy ..... 5 hrs., 54 mins.  
(Includes supplementaries, first set)  
(Adjourned at Vote 1301, Item 1)
3. Attorney General ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)  
(Includes supplementaries, second set)
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
(Includes supplementaries, first set)
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

- |   |        |
|---|--------|
| 1. Office of the Assembly .....               | 5 hrs. |
| <i>(Includes supplementaries, first set)</i>  |        |
| 2. Office of the Chief Election Officer ..... | 5 hrs. |

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

- |  |        |
|--|--------|
| 1. Office of the Ombudsman .....             | 5 hrs. |
| <i>(Includes supplementaries, first set)</i> |        |

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

- |  |  |
|--|--|
| 1. Office of the Provincial Auditor .. | <i>(Completed Thursday, December 17, 1987)</i> |
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## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

- |   |  |
|---|--|
| 1. Industry, Trade and Technology ..          | <i>(Completed Thursday, December 10, 1987)</i> |
| 2. Housing .....                              | <i>(Completed Thursday, December 17, 1987)</i> |
| 3. Environment .....                          | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i>  |  |
| 4. Agriculture and Food .....                 | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i>  |  |
| 5. Mines .....                                | 7 hrs., 30 mins.                               |
| 6. Municipal Affairs .....                    | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i>  |  |
| <i>(Includes supplementaries, second set)</i> |  |
| 7. Natural Resources .....                    | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i>  |  |
| 8. Tourism and Recreation .....               | 7 hrs., 30 mins.                               |
| 9. Transportation .....                       | 7 hrs., 30 mins.                               |
| <i>(Includes supplementaries, first set)</i>  |  |
| 10. Industry, Trade and Technology .....      | —  |
| <i>(Supplementaries only, first set)</i>      |  |
| 11. Housing .....                             | —  |
| <i>(Supplementaries only, first set)</i>      |  |

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... *(Completed Thursday, December 10, 1987)*
2. Office Responsible for  
Disabled Persons ..... *(Completed Thursday, December 17, 1987)*
3. Education ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*
7. Community and Social Services ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*  
*(Includes supplementaries, second set)*
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
*(Includes supplementaries, first set)*  
*(Includes supplementaries, second set)*
10. Skills Development ..... —  
*(Supplementaries only, first set)*
11. Office Responsible for  
Disabled Persons ..... —  
*(Supplementaries only, first set)*



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# Orders and Notices

Legislative Assembly  
of the Province of Ontario



**1st Session, 34th Parliament**  
Tuesday, April 5, 1988

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## GOVERNMENT BILLS AND ORDERS

1. *Second Reading* Bill 4, An Act to amend the Metropolitan Toronto Police Force Complaints Act, 1984. *Mr Scott.* **PRINTED.**
  2. *Second Reading* Bill 5, An Act to amend the Proceedings Against the Crown Act. *Mr Scott.* **PRINTED.**
  3. *Second Reading* Bill 6, An Act to amend the Execution Act. *Mr Scott.* **PRINTED.**
  4. *Second Reading* Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law. *Mr Scott.* **PRINTED.**
- Deuxième lecture* Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international. *M. Scott.* **IMPRIMÉ.**
5. *Second Reading* Bill 9, An Act permitting Trustees and other Persons to dispose of South African investments. *Mr Scott.* **PRINTED.**
- Deuxième lecture* Projet de loi 9, Loi permettant aux fiduciaires et à d'autres personnes d'aliéner les placements sud-africains. *M. Scott.* **IMPRIMÉ.**
6. *Second Reading* Bill 15, An Act to amend the Barristers Act. *Mr Scott.* **PRINTED.**
  7. *Second Reading* Bill 22, An Act to regulate Motor Vehicle Repairs. *Mr Wrye.* **PRINTED.**
  8. *Second Reading* Bill 26, An Act to regulate Prepaid Services. *Mr Wrye.* **PRINTED.**
  9. *Second Reading* Bill 27, An Act respecting Prearranged and Prepaid Funerals. *Mr Wrye.* **PRINTED.**
  10. *Second Reading* Bill 28, An Act to amend the Funeral Services Act. *Mrs Caplan.* **PRINTED.**
  11. *Second Reading* Bill 52, An Act to amend the Consumer Reporting Act. *Mr Wrye.* **PRINTED.**
  12. *Second Reading* Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities. *Mr Eakins.* **PRINTED.**
  13. *Second Reading* Bill 66, An Act respecting Agricultural and Horticultural Organizations. *Mr Riddell.* **PRINTED.\***

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\*Lieutenant Governor's Recommendation received.

14. *Second Reading* Bill 68, An Act to promote the Conservation of Certain Land. *Mr Kerrio.* **PRINTED.**
15. *Second Reading* Bill 69, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
16. *Second Reading* Bill 70, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
17. *Second Reading* Bill 76, An Act to amend the Education Act and certain other Acts related to Education. *Mr Ward.* **PRINTED.**
18. *Second Reading* Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act. *Mr Eakins.* **PRINTED.**
19. *Second Reading* Bill 78, An Act respecting the Sale of Farm Implements. *Mr Riddell.* **PRINTED.**
20. *Second Reading* Bill 82, An Act respecting Energy Efficiency. *Mr Wong.* **PRINTED.**
21. *Second Reading* Bill 83, An Act respecting the Protection of Farm Practices. *Mr Riddell.* **PRINTED.**
22. *Second Reading* Bill 84, An Act to amend the Corporations Tax Act. *Mr Grandmaître.* **PRINTED.\***
23. *Second Reading* Bill 85, An Act to amend the Mining Tax Act. *Mr Grandmaître.* **PRINTED.\***
24. *Second Reading* Bill 86, An Act to amend the Highway Traffic Act. *Mr Fulton.* **PRINTED.**
25. *Second Reading* Bill 87, An Act to amend the Ontario Highway Transport Board Act. *Mr Fulton.* **PRINTED.**
26. *Second Reading* Bill 88, An Act to regulate Truck Transportation. *Mr Fulton.* **PRINTED.**
27. *Second Reading* Bill 90, An Act respecting the United Nations Convention on Contracts for the International Sale of Goods. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 90, Loi concernant la Convention des Nations Unies sur les contrats de vente internationale de marchandises. *M. Scott.* **IMPRIMÉ.**

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\*Lieutenant Governor's Recommendation received.

28. *Second Reading* Bill 93, An Act to revise the Justices of the Peace Act. *Mr Scott.* **PRINTED.**

*Deuxième lecture* Projet de loi 93, Loi portant révision de la Loi sur les juges de paix. *M. Scott.* **IMPRIMÉ.**

29. *Second Reading* Bill 98, An Act to amend the Public Transportation and Highway Improvement Act. *Mr Fulton.* **PRINTED.**
30. *Second Reading* Bill 99, An Act to amend the Ministry of Transportation and Communications Act. *Mr Fulton.* **PRINTED.**
31. *Second Reading* Bill 100, An Act to amend the Education Act. *Mr Ward.* **PRINTED.**
32. *Second Reading* Bill 101, An Act to repeal the Ministry of Transportation and Communications Creditors Payment Act. *Mr Fulton.* **PRINTED.**
33. *Second Reading* Bill 102, An Act to amend the Construction Lien Act, 1983. *Mr Fulton.* **PRINTED.**
34. *Concurrence in Supply* for the Ministry of Treasury and Economics.
35. *Concurrence in Supply* for the Ministry of Skills Development.
36. *Concurrence in Supply* for the Ministry of Industry, Trade and Technology.
37. *Concurrence in Supply* for the Office of the Provincial Auditor.
38. *Concurrence in Supply* for the Office for Disabled Persons.
39. *Concurrence in Supply* for the Ministry of Housing.
40. *House in Committee of Supply.*
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## PRIVATE MEMBERS' PUBLIC BILLS AND ORDERS

### 41. *Committee of the Whole House:*

Bill 24, An Act to establish a Tourism Advisory Board. *Mr McLean.* **PRINTED.**

Bill 75, An Act to establish the Municipal Council Retirement Fund and to provide Retirement Allowances to Municipal Councillors. *Mr Cureatz.* **PRINTED.**

42. *Second Reading* Bill 3, An Act to protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places. *Mr Sterling.* **PRINTED.**

43. *Second Reading* Bill 8, An Act to amend the Representation Act, 1986. *Mr Villeneuve.* **PRINTED.**

44. *Second Reading* Bill 10, An Act to amend the Election Act, 1984. *Mr Cousens.* **PRINTED.**

45. *Second Reading* Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. *Ms Bryden.* **PRINTED.**

46. *Second Reading* Bill 14, An Act to protect and enhance the Quality of Drinking Water in Ontario. *Mrs Grier.* **PRINTED.**

47. *Second Reading* Bill 16, An Act to encourage the Rehabilitation of Water Delivery Systems in Ontario. *Mrs Marland.* **PRINTED.**

48. *Second Reading* Bill 17, An Act to amend the Planning Act, 1983. *Mr Johnston* (Scarborough West). **PRINTED.**

49. *Second Reading* Bill 18, An Act to provide for the Conversion of Technologies and Skills used in the Nuclear Weapons Industry to Civilian Use. *Mr Johnston* (Scarborough West). **PRINTED.**

50. *Second Reading* Bill 23, An Act to proclaim 1995 as the 150th Anniversary of the arrival of Irish Immigrants in Canada. *Mr Pollock.* **PRINTED.**

51. *Second Reading* Bill 30, An Act to amend the Pension Benefits Act. *Mr Mackenzie.* **PRINTED.**

52. *Second Reading* Bill 31, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**

53. *Second Reading* Bill 32, An Act to provide for the Employment of Disabled Persons. *Mr Mackenzie.* **PRINTED.**

54. *Second Reading* Bill 33, An Act to amend the Education Act. *Mr Mackenzie.* **PRINTED.**

55. *Second Reading* Bill 34, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
56. *Second Reading* Bill 35, An Act to amend the Public Vehicles Act. *Mr Mackenzie.* **PRINTED.**
57. *Second Reading* Bill 36, An Act to provide Political Rights for Public Servants. *Mr Mackenzie.* **PRINTED.**
58. *Second Reading* Bill 37, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
59. *Second Reading* Bill 38, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
60. *Second Reading* Bill 39, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
61. *Second Reading* Bill 40, An Act to amend the Labour Relations Act. *Mr Mackenzie.* **PRINTED.**
62. *Second Reading* Bill 41, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
63. *Second Reading* Bill 42, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
64. *Second Reading* Bill 43, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
65. *Second Reading* Bill 44, An Act to amend the Employment Standards Act. *Mr Mackenzie.* **PRINTED.**
66. *Second Reading* Bill 45, An Act to amend the Children's Law Reform Act. *Mr Cousens.* **PRINTED.**
67. *Second Reading* Bill 47, An Act to amend the Highway Traffic Act. *Mrs Grier.* **PRINTED.**
68. *Second Reading* Bill 48, An Act to amend the Police Act. *Mr Eves.* **PRINTED.**
69. *Second Reading* Bill 49, An Act to relieve Persons from Liability in respect of voluntary Emergency Medical and First Aid Services. *Mr Haggerty.* **PRINTED.**
70. *Second Reading* Bill 53, An Act to provide for the Safety and Welfare of Crown Witnesses in Certain Criminal Proceedings. *Mr Runciman.* **PRINTED.**
71. *Second Reading* Bill 57, An Act to amend the Energy Act. *Mr Wildman.* **PRINTED.**

72. *Second Reading* Bill 60, An Act respecting the Sale of Farm Machinery and Equipment in Ontario. *Mr Wildman.* **PRINTED.**
73. *Second Reading* Bill 62, An Act to amend the Health Protection and Promotion Act, 1983. *Mr Henderson.* **PRINTED.**
74. *Second Reading* Bill 63, An Act to amend the Laboratory and Specimen Collection Centre Licensing Act. *Mr Henderson.* **PRINTED.**
75. *Second Reading* Bill 64, An Act to amend the Health Insurance Act. *Mr Henderson.* **PRINTED.**
76. *Second Reading* Bill 67, An Act to establish the East/Central Ontario Recreational Trails Commission. *Mr Pollock.* **PRINTED.**
77. *Second Reading* Bill 71, An Act to amend the Occupational Health and Safety Act. *Mr Rae (York South).* **PRINTED.**
78. *Second Reading* Bill 72, An Act respecting Simcoe Day. *Mr McLean.* **PRINTED.**
79. *Second Reading* Bill 73, An Act to amend the Public Service Superannuation Act. *Mr McLean.* **PRINTED.**
80. *Second Reading* Bill 74, An Act to amend the Legislative Assembly Retirement Allowances Act. *Mr McLean.* **PRINTED.**
81. *Second Reading* Bill 89, An Act requiring municipalities to establish Programs for the Recycling of Garbage. *Mrs Marland.* **PRINTED.**
82. *Second Reading* Bill 91, An Act to amend the Election Act. *Mr Sterling.* **PRINTED.**
83. *Second Reading* Bill 92, An Act to prevent unjust enrichment through the Financial Exploitation of Crime. *Mr Wildman.* **PRINTED.**
84. *Second Reading* Bill 94, An Act to prohibit Discrimination by Municipalities against Unrelated Persons Occupying Residential Property. *Mr Jackson.* **PRINTED.**
85. *Second Reading* Bill 95, An Act to amend the Children's Law Reform Act. *Mr Henderson.* **PRINTED.**
86. *Second Reading* Bill 96, An Act to amend the Highway Traffic Act. *Mr Wildman.* **PRINTED.**
87. *Second Reading* Bill 97, An Act to amend Human Rights Code, 1981. *Mr Reville.* **PRINTED.**
88. *Second Reading* Bill 103, An Act respecting Living Wills. *Mr Cureatz.* **PRINTED.**

89. *Second Reading* Bill 104, An Act to amend the Courts of Justice Act, 1984.  
*Mr Cureatz. PRINTED.*
90. *Second Reading* Bill 105, An Act to amend the Legislative Assembly Act.  
*Mr Cureatz. PRINTED.*
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## NOTICES

### GOVERNMENT MOTIONS

6. *Mr. Peterson*—Resolution—WHEREAS the *Constitution Act, 1982* came into force on April 17, 1982, following an agreement between Canada and all the provinces except Quebec;

AND WHEREAS the Government of Quebec has established a set of five proposals for constitutional change and has stated that amendments to give effect to those proposals would enable Quebec to resume a full role in the constitutional councils of Canada;

AND WHEREAS the amendment proposed in the schedule hereto sets out the basis on which Quebec's five constitutional proposals may be met;

AND WHEREAS the amendment proposed in the schedule hereto also recognizes the principle of the equality of all the provinces, provides new arrangements to foster greater harmony and cooperation between the Government of Canada and the governments of the provinces and requires that conferences be convened to consider important constitutional, economic and other issues;

AND WHEREAS certain portions of the amendment proposed in the schedule hereto relate to matters referred to in section 41 of the *Constitution Act, 1982*;

AND WHEREAS section 41 of the *Constitution Act, 1982* provides that an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and the House of Commons and of the legislative assembly of each province;

NOW THEREFORE the Legislative Assembly of Ontario resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

### SCHEDULE

#### CONSTITUTION AMENDMENT, 1987

##### *Constitution Act, 1867*

1. The *Constitution Act, 1867* is amended by adding thereto, immediately after section 1 thereof, the following section:

Interpre-  
tation

- “2. (1) The Constitution of Canada shall be interpreted in a manner consistent with

(a) the recognition that the existence of French-speaking Canadians, centred in Quebec but also present elsewhere

in Canada, and English-speaking Canadians, concentrated outside Quebec but also present in Quebec, constitutes a fundamental characteristic of Canada; and

(b) the recognition that Quebec constitutes within Canada a distinct society.

Role of  
Parliament  
and  
legislatures

(2) The role of the Parliament of Canada and the provincial legislatures to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a) is affirmed.

Role of  
legislature  
and  
Government  
of Quebec

(3) The role of the legislature and Government of Quebec to preserve and promote the distinct identity of Quebec referred to in paragraph (1)(b) is affirmed.

Rights of  
legislatures  
and  
governments  
preserved

(4) Nothing in this section derogates from the powers, rights or privileges of Parliament or the Government of Canada, or of the legislatures or governments of the provinces, including any powers, rights or privileges relating to language.”

2. The said Act is further amended by adding thereto, immediately after section 24 thereof, the following section:

Names to be  
submitted

“25. (1) Where a vacancy occurs in the Senate, the Government of the province to which the vacancy relates may, in relation to that vacancy, submit to the Queen’s Privy Council for Canada the names of persons who may be summoned to the Senate.

Choice of  
Senators  
from names  
submitted

(2) Until an amendment to the Constitution of Canada is made in relation to the Senate pursuant to section 41 of the *Constitution Act, 1982*, the person summoned to fill a vacancy in the Senate shall be chosen from among persons whose names have been submitted under subsection (1) by the government of the province to which the vacancy relates and must be acceptable to the Queen’s Privy Council for Canada.”

3. The said Act is further amended by adding thereto, immediately after section 95 thereof, the following heading and sections:

*“Agreements on Immigration and Aliens*

Commitment  
to negotiate

95A. The Government of Canada shall, at the request of the government of any province, negotiate with the government of that province for the purpose of concluding an agreement relating to immigration or the temporary admission of aliens into that province that is appropriate to the needs and circumstances of that province.

## Agreements

**95B.** (1) Any agreement concluded between Canada and a province in relation to immigration or the temporary admission of aliens into that province has the force of law from the time it is declared to do so in accordance with subsection 95C(1) and shall from that time have effect notwithstanding class 25 of section 91 or section 95.

## Limitation

(2) An agreement that has the force of law under subsection (1) shall have effect only so long and so far as it is not repugnant to any provision of an Act of the Parliament of Canada that sets national standards and objectives relating to immigration or aliens, including any provision that establishes general classes of immigrants or relates to levels of immigration for Canada or that prescribes classes of individuals who are inadmissible into Canada.

Application  
of Charter

(3) The *Canadian Charter of Rights and Freedoms* applies in respect of any agreement that has the force of law under subsection (1) and in respect of anything done by the Parliament or Government of Canada, or the legislature or government of a province, pursuant to any such agreement.

Proclamation  
relating to  
agreements

**95C.** (1) A declaration that an agreement referred to in subsection 95B(1) has the force of law may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement.

Amendment  
of  
agreements

(2) An amendment to an agreement referred to in subsection 95B(1) may be made by proclamation issued by the Governor General under the Great Seal of Canada only where so authorized

(a) by resolutions of the Senate and House of Commons and of the legislative assembly of the province that is a party to the agreement; or

(b) in such other manner as is set out in the agreement.

Application  
of sections 46  
to 48 of  
*Constitution  
Act, 1982*

**95D.** Sections 46 to 48 of the *Constitution Act, 1982* apply, with such modifications as the circumstances require, in respect of any declaration made pursuant to subsection 95C(1), any amendment to an agreement made pursuant to subsection 95C(2) or any amendment made pursuant to section 95E.

Amendments  
to sections  
95A to 95D  
or this  
section

**95E.** An amendment to sections 95A to 95D or this section may be made in accordance with the procedure set out in subsection 38(1) of the *Constitution Act, 1982*, but only if the amendment is authorized by resolutions of the legislative assemblies of all the provinces that are, at the time of the

amendment, parties to an agreement that has the force of law under subsection 95B(1).”

4. The said Act is further amended by adding thereto, immediately preceding section 96 thereof, the following heading:

*“General”*

5. The said Act is further amended by adding thereto, immediately preceding section 101 thereof, the following heading:

*“Courts Established by the Parliament of Canada”*

6. The said Act is further amended by adding thereto, immediately after section 101 thereof, the following heading and sections:

*“Supreme Court of Canada*

Supreme  
Court  
continued

**101A.** (1) The court existing under the name of the Supreme Court of Canada is hereby continued as the general court of appeal for Canada, and as an additional court for the better administration of the laws of Canada, and shall continue to be a superior court of record.

Constitution  
of court

(2) The Supreme Court of Canada shall consist of a chief justice to be called the Chief Justice of Canada and eight other judges, who shall be appointed by the Governor General in Council by letters patent under the Great Seal.

Who may be  
appointed  
judges

**101B.** (1) Any person may be appointed a judge of the Supreme Court of Canada who, after having been admitted to the bar of any province or territory, has, for a total of at least ten years, been a judge of any court in Canada or a member of the bar of any province or territory.

Three judges  
from Quebec

(2) At least three judges of the Supreme Court of Canada shall be appointed from among persons who, after having been admitted to the bar of Quebec, have, for a total of at least ten years, been judges of any court of Quebec or of any court established by the Parliament of Canada, or members of the bar of Quebec.

Names may  
be submitted

**101C.** (1) Where a vacancy occurs in the Supreme Court of Canada, the government of each province may, in relation to that vacancy, submit to the Minister of Justice of Canada the names of any of the persons who have been admitted to the bar of that province and are qualified under section 101B for appointment to that court.

Appointment  
from names  
submitted

(2) Where an appointment is made to the Supreme Court of Canada, the Governor General in Council shall, except

where the Chief Justice is appointed from among members of the Court, appoint a person whose name has been submitted under subsection (1) and who is acceptable to the Queen's Privy Council for Canada.

Appointment  
from Quebec

(3) Where an appointment is made in accordance with subsection (2) of any of the three judges necessary to meet the requirement set out in subsection 101B(2), the Governor General in Council shall appoint a person whose name has been submitted by the Government of Quebec.

Appointment  
from other  
provinces

(4) Where an appointment is made in accordance with subsection (2) otherwise than as required under subsection (3), the Governor General in Council shall appoint a person whose name has been submitted by the government of a province other than Quebec.

Tenure,  
salaries, etc.  
of judges

**101D.** Sections 99 and 100 apply in respect of the judges of the Supreme Court of Canada.

Relationship  
to section 101

**101E.** (1) Sections 101A to 101D shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws under section 101 except to the extent that such laws are inconsistent with those sections.

References  
to the  
Supreme  
Court of  
Canada

(2) For greater certainty, section 101A shall not be construed as abrogating or derogating from the powers of the Parliament of Canada to make laws relating to the reference of questions of law or fact, or any other matters, to the Supreme Court of Canada."

7. The said Act is further amended by adding thereto, immediately after section 106 thereof, the following section:

Shared-cost  
program

"**106A.** (1) The Government of Canada shall provide reasonable compensation to the government of a province that chooses not to participate in a national shared-cost program that is established by the Government of Canada after the coming into force of this section in an area of exclusive provincial jurisdiction, if the province carries on a program or initiative that is compatible with the national objectives.

Legislative  
power not  
extended

(2) Nothing in this section extends the legislative powers of the Parliament of Canada or of the legislatures of the provinces."

8. The said Act is further amended by adding thereto the following heading and sections:

“XII — CONFERENCES ON THE ECONOMY AND OTHER  
MATTERS

Conferences  
on the  
economy and  
other matters

**148.** A conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year to discuss the state of Canadian economy and such other matters as may be appropriate.

XIII — REFERENCES

Reference  
includes  
amendments

**149.** A reference to this Act shall be deemed to include a reference to any amendments thereto.”

*Constitution Act, 1982*

**9.** Sections 40 to 42 of the *Constitution Act, 1982* are repealed and the following substituted therefor:

Compensation

“**40.** Where an amendment is made under subsection 38(1) that transfers legislative powers from provincial legislatures to Parliament, Canada shall provide reasonable compensation to any province to which the amendment does not apply.

Amendment  
by  
unanimous  
consent

**41.** An amendment to the Constitution of Canada in relation to the following matters may be made by proclamation issued by the Governor General under the Great Seal of Canada only where authorized by resolutions of the Senate and House of Commons and of the legislative assembly of each province:

(a) the office of the Queen, the Governor General and the Lieutenant Governor of a province;

(b) the powers of the Senate and the method of selecting Senators;

(c) the number of members by which a province is entitled to be represented in the Senate and the residence qualifications of Senators;

(d) the right of a province to a number of members in the House of Commons not less than the number of Senators by which the province was entitled to be represented on April 17, 1982;

(e) the principle of proportionate representation of the provinces in the House of Commons prescribed by the Constitution of Canada;

(f) subject to section 43, the use of the English or the French language;

(g) the Supreme Court of Canada;

(h) the extension of existing provinces into the territories;

(i) notwithstanding any other law or practice, the establishment of new provinces; and

(j) an amendment to this Part.”

**10.** Section 44 of the said Act is repealed and the following substituted therefor:

Amendments  
by  
Parliament

“**44.** Subject to section 41, Parliament may exclusively make laws amending the Constitution of Canada in relation to the executive government of Canada or the Senate and House of Commons.”

**11.** Subsection 46(1) of the said Act is repealed and the following substituted therefor:

Initiation of  
amendment  
procedures

“**46.** (1) The procedures for amendment under sections 38, 41 and 43 may be initiated either by the Senate or the House of Commons or by the legislative assembly of a province.”

**12.** Subsection 47(1) of the said Act is repealed and the following substituted therefor:

Amendments  
without  
Senate  
resolution

“**47.** (1) An amendment to the Constitution of Canada made by proclamation under section 38, 41 or 43 may be made without a resolution of the Senate authorizing the issue of the proclamation if, within one hundred and eighty days after the adoption by the House of Commons of a resolution authorizing its issue, the Senate has not adopted such a resolution and if, at any time after the expiration of that period, the House of Commons again adopts the resolution.”

**13.** Part VI of the said Act is repealed and the following substituted therefor:

#### “PART VI

#### CONSTITUTIONAL CONFERENCES

Constitu-  
tional  
conference

**50.** (1) A constitutional conference composed of the Prime Minister of Canada and the first ministers of the provinces shall be convened by the Prime Minister of Canada at least once each year, commencing in 1988.

Agenda

(2) The conferences convened under subsection (1) shall have included on their agenda the following matters:

(a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

(b) roles and responsibilities in relation to fisheries; and

(c) such other matters as are agreed upon.”

14. Subsection 52(2) of the said Act is amended by striking out the word “and” at the end of paragraph (b) thereof, by adding the word “and” at the end of paragraph (c) thereof and by adding thereto the following paragraph:

“(d) any other amendment to the Constitution of Canada.”

15. Section 61 of the said Act is repealed and the following substituted therefor:

References

“61. A reference to the *Constitution Act, 1982*, or a reference to the *Constitution Acts 1867 to 1982*, shall be deemed to include a reference to any amendments thereto.”

#### General

Multicultural  
heritage and  
aboriginal  
people

16. Nothing in section 2 of the *Constitution Act, 1867* affects section 25 or 27 of the *Canadian Charter of Rights and Freedoms*, section 35 of the *Constitution Act, 1982* or class 24 of section 91 of the *Constitution Act, 1867*.

#### CITATION

Citation

17. This amendment may be cited as the *Constitution Amendment, 1987*.

M. Peterson—Résolution—

Attendu :

que la *Loi constitutionnelle de 1982* est entrée en vigueur le 17 avril 1982, à la suite d'un accord conclu entre le Canada et toutes les provinces, sauf le Québec;

que, selon le gouvernement du Québec, l'adoption de modifications visant à donner effet à ses cinq propositions de révision constitutionnelle permettrait au Québec de jouer pleinement de nouveau son rôle dans les instances constitutionnelles canadiennes;

que le projet de modification figurant en annexe présente les modalités d'un règlement relatif aux cinq propositions du Québec;

que le projet reconnaît le principe de l'égalité de toutes les provinces et prévoit, d'une part, de nouveaux arrangements propres à renforcer l'harmonie et la coopération entre le gouvernement du Canada et ceux des provinces, d'autre part la tenue de conférences consacrées à l'étude d'importantes questions constitutionnelles, économiques et autres;

que le projet porte en partie sur des questions visées à l'article 41 de la *Loi constitutionnelle de 1982*;

que cet article prévoit que la Constitution du Canada peut être modifiée par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province,

l'Assemblée législative de l'Ontario a résolu d'autoriser la modification de la Constitution du Canada par proclamation de Son Excellence le gouverneur général sous le grand sceau du Canada, en conformité avec l'annexe ci-jointe.

## ANNEXE

### MODIFICATION CONSTITUTIONNELLE DE 1987

#### *Loi constitutionnelle de 1867*

1. La *Loi constitutionnelle de 1867* est modifiée par insertion, après l'article 1, de ce qui suit:

Règle  
interprétative

«2. (1) Toute interprétation de la Constitution du Canada doit concorder avec :

a) la reconnaissance de ce que l'existence de Canadiens d'expression française, concentrés au Québec mais présents aussi dans le reste du pays, et de Canadiens d'expression anglaise, concentrés dans le reste du pays mais aussi présents au Québec, constitue une caractéristique fondamentale du Canada;

b) la reconnaissance de ce que le Québec forme au sein du Canada une société distincte.

Rôle du  
Parlement et  
des  
législatures

(2) Le Parlement du Canada et les législatures des provinces ont le rôle de protéger la caractéristique fondamentale du Canada visée à l'alinéa (1) a).

Rôle de la  
législature et  
du gouverne-  
ment du  
Québec

(3) La législature et le gouvernement du Québec ont le rôle de protéger et de promouvoir le caractère distinct du Québec visé à l'alinéa (1) b).

Maintien des  
droits des  
législatures et  
gouverne-  
ments

(4) Le présent article n'a pas pour effet de déroger aux pouvoirs, droits ou privilèges du Parlement ou du gouvernement du Canada, ou des législatures ou des gouvernements des provinces, y compris à leurs pouvoirs, droits ou privilèges en matière de langue.»

2. La même loi est modifiée par insertion, après l'article 24, de ce qui suit :

Propositions

«25. (1) En cas de vacance au Sénat, le gouvernement de la province à représenter peut proposer au Conseil privé de la Reine pour le Canada des personnes susceptibles d'être nommées au siège vacant.

Choix des  
sénateurs

(2) Jusqu'à la modification, faite conformément à l'article 41 de la *Loi constitutionnelle de 1982*, de toute disposition de la Constitution du Canada relative au Sénat, les personnes nommées aux sièges vacants au Sénat sont choisies parmi celles qui ont été proposées par le gouvernement de la province à représenter et agréées par le Conseil privé de la Reine pour le Canada.»

3. La même loi est modifiée par insertion, après l'article 95, de ce qui suit :

«*Accords relatifs à l'immigration et aux aubains*

Engagement

95A. Sur demande du gouvernement d'une province, le gouvernement du Canada négocie avec lui en vue de conclure, en matière d'immigration ou d'admission temporaire des aubains dans la province, un accord adapté aux besoins et à la situation particulière de celle-ci.

Accords

95B. (1) Tout accord conclu entre le Canada et une province en matière d'immigration ou d'admission temporaire des aubains dans la province a, une fois faite la déclaration visée au paragraphe 95C(1), force de loi et a dès lors effet indépendamment tant du point 25 de l'article 91 que de l'article 95.

## Restriction

(2) L'accord ayant ainsi force de loi n'a d'effet que dans la mesure de sa compatibilité avec les dispositions des lois du Parlement du Canada qui fixent des normes et objectifs nationaux relatifs à l'immigration et aux aubains, notamment en ce qui concerne l'établissement des catégories générales d'immigrants, les niveaux d'immigration au Canada et la détermination des catégories de personnes inadmissibles au Canada.

Application  
de la Charte

(3) La *Charte canadienne des droits et libertés* s'applique aux accords ayant ainsi force de loi et à toute mesure prise sous leur régime par le Parlement ou le gouvernement du Canada ou par la législature ou le gouvernement d'une province.

Proclamation  
relative aux  
accords

**95C.** (1) La déclaration portant qu'un accord visé au paragraphe 95B(1) a force de loi se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord.

Modification  
des accords

(2) La modification d'un accord visé au paragraphe 95B(1) se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée :

a) soit par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de la province qui est partie à l'accord;

b) soit selon les modalités prévues dans l'accord même.

Application  
des articles  
46 à 48 de la  
*Loi constitutionnelle de 1982*

**95D.** Les articles 46 à 48 de la *Loi constitutionnelle de 1982* s'appliquent, avec les adaptations nécessaires, à toute déclaration faite aux termes du paragraphe 95C(1), à toute modification d'un accord faite aux termes du paragraphe 95C(2) ou à toute modification faite aux termes de l'article 95E.

Modification  
des articles  
95A à 95D ou  
du présent  
article

**95E.** Les articles 95A à 95D ou le présent article peuvent être modifiés conformément au paragraphe 38(1) de la *Loi constitutionnelle de 1982*, à condition que la modification soit autorisée par des résolutions des assemblées législatives de toutes les provinces qui sont, à l'époque de celle-ci, parties à un accord ayant force de loi aux termes du paragraphe 95B(1).»

**4.** La même loi est modifiée par insertion, avant l'article 96, de ce qui suit :

## «Dispositions générales»

**5.** La même loi est modifiée par insertion, avant l'article 101, de ce qui suit :

*«Tribunaux créés par le Parlement du Canada»*

6. La même loi est modifiée par insertion, après l'article 101, de ce qui suit :

*«Cour suprême du Canada*

Maintien de  
la Cour  
suprême  
du Canada

**101A.** (1) La cour qui existe sous le nom de Cour suprême du Canada est maintenue à titre de cour générale d'appel pour le Canada et de cour additionnelle propre à améliorer l'application des lois du Canada. Elle conserve ses attributions de cour supérieure d'archives.

Composition

(2) La Cour suprême du Canada se compose du juge en chef, appelé juge en chef du Canada, et de huit autres juges, que nomme le gouverneur général en conseil par lettres patentes sous le grand sceau.

Conditions  
de  
nomination

**101B.** (1) Les juges sont choisis parmi les personnes qui, après avoir été admises au barreau d'une province ou d'un territoire, ont, pendant au moins dix ans au total, été juges de n'importe quel tribunal du pays ou inscrites au barreau de n'importe quelle province ou de n'importe quel territoire.

Québec :  
trois juges

(2) Au moins trois des juges sont choisis parmi les personnes qui, après avoir été admises au barreau du Québec, ont, pendant au moins dix ans au total, été inscrites à ce barreau ou juges d'un tribunal du Québec ou d'un tribunal créé par le Parlement du Canada.

Propositions  
de  
nomination

**101C.** (1) En cas de vacance à la Cour suprême du Canada, le gouvernement de chaque province peut proposer au ministre fédéral de la Justice, pour la charge devenue vacante, des personnes admises au barreau de cette province et remplissant les conditions visées à l'article 101B.

Nomination  
parmi les  
personnes  
proposées

(2) Le gouverneur général en conseil procède aux nominations parmi les personnes proposées et qui agréent au Conseil privé de la Reine pour le Canada; le présent paragraphe ne s'applique pas à la nomination du juge en chef dans les cas où il est choisi parmi les juges de la Cour suprême du Canada.

Nomination  
parmi les  
personnes  
proposées  
par le  
Québec

(3) Dans le cas de chacune de trois nominations à faire conformément au paragraphe 101B(2), le gouverneur général en conseil nomme une personne proposée par le gouvernement du Québec.

Nomination  
parmi les  
personnes  
proposées  
par les autres  
provinces

(4) Dans le cas de toute autre nomination, le gouverneur général en conseil nomme une personne proposée par le gouvernement d'une autre province que le Québec.

Inamovibilité,  
traitement,  
etc.

**101D.** Les articles 99 et 100 s'appliquent aux juges de la Cour suprême du Canada.

Rapport avec  
l'article 101

**101E.** (1) Sous réserve que ne soient pas adoptées, dans les matières visées à l'article 101, de dispositions incompatibles avec les articles 101A à 101D, ceux-ci n'ont pas pour effet de porter atteinte à la compétence législative conférée au Parlement du Canada en ces matières.

Renvois à la  
Cour  
suprême du  
Canada

(2) Il est entendu que l'article 101A n'a pas pour effet de porter atteinte à la compétence législative du Parlement du Canada en ce qui concerne le renvoi à la Cour suprême du Canada de questions de droit ou de fait, ou de toute autre question.»

**7.** La même loi est modifiée par insertion, après l'article 106, de ce qui suit :

Programmes  
cofinancés

«**106A.** (1) Le gouvernement du Canada fournit une juste compensation au gouvernement d'une province qui choisit de ne pas participer à un programme national cofinancé qu'il établit après l'entrée en vigueur du présent article dans un secteur de compétence exclusive provinciale, si la province applique un programme ou une mesure compatible avec les objectifs nationaux.

Non-élargissement  
des  
compétences  
législatives

(2) Le présent article n'élargit pas les compétences législatives du Parlement du Canada ou des législatures des provinces.»

**8.** La même loi est modifiée par insertion, après l'article 147, de ce qui suit :

#### «XII. — CONFÉRENCES SUR L'ÉCONOMIE ET SUR D'AUTRES QUESTIONS

Convocation

**148.** Le premier ministre du Canada convoque au moins une fois par an une conférence réunissant les premiers ministres provinciaux et lui-même et portant sur l'économie canadienne ainsi que sur toute autre question appropriée.

#### XIII. — MENTIONS

Présomption

**149.** Toute mention de la présente loi est réputée constituer également une mention de ses modifications.»

#### *Loi constitutionnelle de 1982*

**9.** Les articles 40 à 42 de la *Loi constitutionnelle de 1982* sont abrogés et remplacés par ce qui suit :

Compen-  
sation

«40. Le Canada fournit une juste compensation aux provinces auxquelles ne s'applique pas une modification faite conformément au paragraphe 38(1) et relative à un transfert de compétences législatives provinciales au Parlement.

Consente-  
ment  
unanime

41. Toute modification de la Constitution du Canada portant sur les questions suivantes se fait par proclamation du gouverneur général sous le grand sceau du Canada, autorisée par des résolutions du Sénat, de la Chambre des communes et de l'assemblée législative de chaque province :

a) la charge de Reine, celle de gouverneur général et celle de lieutenant-gouverneur;

b) les pouvoirs du Sénat et le mode de sélection des sénateurs;

c) le nombre de sénateurs par lesquels une province est habilitée à être représentée et les conditions de résidence qu'ils doivent remplir;

d) le droit d'une province d'avoir à la Chambre des communes un nombre de députés au moins égal à celui des sénateurs par lesquels elle était habilitée à être représentée le 17 avril 1982;

e) le principe de la représentation proportionnelle des provinces à la Chambre des communes prévu par la Constitution du Canada;

f) sous réserve de l'article 43, l'usage du français ou de l'anglais;

g) la Cour suprême du Canada;

h) le rattachement aux provinces existantes de tout ou partie des territoires;

i) par dérogation à toute autre loi ou usage, la création de provinces;

j) la modification de la présente partie.»

10. L'article 44 de la même loi est abrogé et remplacé par ce qui suit :

Modification  
par le  
Parlement

«44. Sous réserve de l'article 41, le Parlement a compétence exclusive pour modifier les dispositions de la Constitution du Canada relatives au pouvoir exécutif fédéral, au Sénat ou à la Chambre des communes.»

**11.** Le paragraphe 46(1) de la même loi est abrogé et remplacé par ce qui suit :

Initiative des  
procédures

«**46.** (1) L'initiative des procédures de modification visées aux articles 38, 41 et 43 appartient au Sénat, à la Chambre des communes ou à une assemblée législative.»

**12.** Le paragraphe 47(1) de la même loi est abrogé et remplacé par ce qui suit :

Modification  
sans  
résolution du  
Sénat

«**47.**(1) Dans les cas visés à l'article 38, 41 ou 43, il peut être passé outre au défaut d'autorisation du Sénat si celui-ci n'a pas adopté de résolution dans un délai de cent quatre-vingts jours suivant l'adoption de celle de la Chambre des communes et si cette dernière, après l'expiration du délai, adopte une nouvelle résolution dans le même sens.»

**13.** La partie VI de la même loi est abrogée et remplacée par ce qui suit :

#### «PARTIE VI

#### CONFÉRENCES CONSTITUTIONNELLES

Convocation

**50.** (1) Le premier ministre du Canada convoque au moins une fois par an une conférence constitutionnelle réunissant les premiers ministres provinciaux et lui-même, la première devant avoir lieu en 1988.

Ordre du  
jour

(2) Sont placées à l'ordre du jour de ces conférences les questions suivantes :

*a)* la réforme du Sénat, y compris son rôle et ses fonctions, ses pouvoirs, le mode de sélection des sénateurs et la représentation au Sénat;

*b)* les rôles et les responsabilités en matière de pêches;

*c)* toutes autres questions dont il est convenu.»

**14.** Le paragraphe 52(2) de la même loi est modifié par adjonction de ce qui suit :

«*d)* les autres modifications qui lui sont apportées.»

**15.** L'article 61 de la même loi est abrogé et remplacé par ce qui suit :

Mentions

«**61.** Toute mention de la *Loi constitutionnelle de 1982* ou des *Lois constitutionnelles de 1867 à 1982* est réputée constituer également une mention de leurs modifications.»

*Dispositions générales*

Patrimoine  
multiculturel  
et peuples  
autochtones

**16.** L'article 2 de la *Loi constitutionnelle de 1867* n'a pas pour effet de porter atteinte aux articles 25 ou 27 de la *Charte canadienne des droits et libertés*, à l'article 35 de la *Loi constitutionnelle de 1982* ou au point 24 de l'article 91 de la *Loi constitutionnelle de 1867*.

## TITRE

Titre

**17.** Titre de la présente modification : *Modification constitutionnelle de 1987*.

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## PRIVATE MEMBERS' MOTIONS

1. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that huge rent increases year after year are constituting a threat to the competitiveness and survival of retail business in commercial strips serving residential neighbourhoods, the Government of Ontario should introduce legislation as soon as possible to regulate the rents for such business establishments in order to provide those businesses with protection from gouging landlords comparable to the protection given to tenants of residential rental premises under the Residential Rent Regulation Act, 1986.
2. *Ms Bryden*—Resolution—That, in the opinion of this House, recognizing that part-time workers in both the public and private sector are discriminated against by the denial of many benefits and rights provided to other workers in the same establishment, a charter of rights for part-time workers should be added to both the Employment Standards Act and the Labour Relations Act to provide pro rata benefits and collective bargaining rights to such workers and that they be made eligible for severance pay and retraining and readjustment programs provided for other workers displaced by technological change in the same establishment.
4. *Mr Morin-Strom*—Resolution—That, in the opinion of this House, recognizing the importance of the TransCanada Highway to our nation and to our province, the government of Ontario should upgrade the TransCanada Highway to a modern four-lane system through Northern Ontario to the Manitoba border, and that the government should immediately commence design and schedule construction to ensure completion across Northern Ontario by 1997.
9. *Mr Wildman*—Resolution—That, in the opinion of this House, the plans of the Canada Post Corporation to close, amalgamate or franchise many rural post offices and to eliminate or tender rural route services in order to reduce its operating deficit would reduce essential mail services from many rural Ontario communities, causing severe hardship and inconvenience to rural Ontarians, particularly the elderly and disabled; the Government of Ontario should urge the Government of Canada to halt, immediately, these plans to cut service and maintain and improve rural postal services across Ontario.
10. *Mr Swart*—Resolution—That, in the opinion of this House, recognizing the particular desirability of the protection of consumers of bereavement services from the business practices associated with corporate concentration and the desirability of fostering and encouraging the small business sector in Ontario, the Government of Ontario should introduce legislation as soon as possible to further regulate the bereavement industry to ensure the following:
  1. That a Board of Bereavement Services, composed of representatives of the public and the various sectors and sub-sectors of the bereavement services industry, be constituted to make recommendations to the Minister of Consumer and Commercial Relations and the Minister of Health on further reforms of the regulation of bereavement services

and to act as the licensing and regulating body for funeral directors, funeral service establishments, cemeterians, cemeteries, monument builders and monument building firms;

2. That the bereavement services industry be divided into three sectors, consisting of cemeteries, funeral services and monument builders and that no proprietor, partnership or corporate entity be allowed to offer services in more than one of these sectors and that any operator who currently offers services in more than one of the sectors be allowed five years to divest itself of operations in more than one sector and where one corporate entity owns more than twenty-five per cent of the shares in other corporate entities operating in more than one of the sectors, relations between such entities shall be at arm's length;
  3. That funeral service establishments may act as agents for monument building firms in rural areas where the Board of Bereavement Services establishes that a consumer need exists and where there is no monument building firm willing to establish in such rural areas;
  4. That the ownership of any proprietorship, partnership or corporate entity involved in the provision of bereavement services must be fully disclosed to the public, including the names of all shareholders in a corporate entity who hold more than ten per cent of the shares in such entity;
  5. That no funeral service facility be allowed on the grounds of, or adjoining the grounds of, a cemetery;
  6. That for the purpose of provincial business and corporate income taxation, as well as for the purpose of municipal property taxation, cemeteries be categorized as either non-profit or commercial and that those categorized as non-profit be exempt from income and property tax and those categorized as commercial be subject to income taxation and to property taxation on all lands less each grave space occupied by a deceased person;
  7. That funeral services be sold only by a licensed funeral director through a licensed funeral service establishment, cemetery services be sold only by a licensed cemeterian through a licensed cemetery and upright monument services be sold only by a licensed monument builder through a licensed monument building firm; and
  8. That there be no telephone or door-to-door solicitation of funeral, cemetery or monument services.
12. *Mr Runciman*—Resolution—That, in the opinion of this House, recognizing that there have been twenty-eight bank branch closures across Ontario between 1982 and 1986 which have left many small communities without adequate banking services, the Government of Ontario should review all requests for satellite banking services and establish Province of Ontario Savings Offices in those areas where population levels demonstrate a need for them and where financial benefit can be determined.

13. *Mr Sterling*—Resolution—That, in the opinion of this House, recognizing the devastating and lethal impact of tobacco on the health of our citizenry, and recognizing the tobacco industry's attempt to advertise in a manner designed to undermine the health warnings of its hazardous product, the Government of Ontario should pursue every opportunity to express its support for the Federal Government's initiative, Bill C-51, the *Tobacco Products Control Act*, An Act to prohibit the advertising and promotion and respecting the labelling and monitoring of tobacco products.
14. *Debated February 11, 1988.*
15. *Mr Runciman*—Resolution—That, in the opinion of this House, the Government of Ontario should immediately implement the 1986 recommendation of the Standing Committee on the Legislative Assembly to provide that all Order-In-Council appointments be subject to review by a Committee of this Legislature.
16. *Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:
  - immediately establish the Northern Ontario Heritage Fund;
  - ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
  - provide substantial funding to help ensure long-term economic growth and diversification of the region.
17. *Mr. Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:
  1. Has the patient been considered as an organ donor.
  2. Are the wishes of the patient regarding donation of his or her organs known.

3. Are the wishes of the patient's family regarding the donation of the patient's organs known.
  4. (a) Has consent for organ or tissue donation been obtained.  
(b) If so, what organs or tissue have been donated.
18. *Mr. Rae (York South)*—Resolution—That, in the opinion of this House, recognizing that more than one thousand Canadian workers are killed on the job in each year; and recognizing that hundreds of thousands more are injured on the job, thousands of whom are permanently disabled; and recognizing that thousands more suffer and die from disease caused by exposure to toxic substances at the workplace, and further recognizing, that the memories of the workers who have died and the suffering of the still-living victims must be honoured; therefore, the Government of Ontario should declare the 28th day of April in each year as a day of mourning and recognition for the victims of work-related injury and disease, to be observed by a minute of silence and the lowering of flags to half-mast.
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## QUESTIONS

*(Questions are to appear on the day after they are tabled and on every subsequent day in the week they are tabled and then subsequently only on each Monday until an Answer (other than an Interim Answer) is tabled. A question tabled on a Thursday will appear on each day of the following week.)*

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3 to 16 inclusive. *Answered February 11, 1988.*

17. *Answered February 8, 1988.*

20. *Answered February 8, 1988.*

26. *Answered February 8, 1988.*

31. *Mr Cousens*—Enquiry of the Ministry—Would the Attorney General provide a list of the requests for legal advice made by the Government of Ontario to the legal firm of Blake Cassels since May of 1985 and the resultant billings from this legal work. *December 3, 1987. Interim Answer* tabled December 14, 1987. Approximate date information available January 29, 1988.

32. *Answered February 11, 1988.*

38. *Answered February 11, 1988.*

49. *Mr Jackson*—Enquiry of the Ministry—Would the Minister of Skills Development provide the full text of a letter concerning federal spending on job training which was sent by him to the Minister of Employment and Immigration and of which parts were reprinted by the *Globe and Mail* on November 30, 1987. *December 3, 1987.*

67. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have left their communications branch since June 1985, what the position was and whether that position has been filled. *December 9, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 31, 1988.

68. *Mr Harris*—Enquiry of the Ministry—Would each Minister provide a list of those persons who have joined their communications branch since June 1985, what positions they have been hired for, what is the salary range for the position, was there an open or internal competition for the position and what advertising for the position took place. *December 9, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 31, 1988.

69. *Mr Philip* (Etobicoke-Rexdale)—Enquiry of the Ministry—Would each Minister inform the House of the following: (1) the cost of the annual report for the last 3 fiscal years; (2) the breakdown of the component costs of the annual report such as design, layout and printing; (3) the cost of work con-

tracted out and work done by ministry staff; (4) the number of copies printed; (5) a list of all outside contracts; (6) which contracts were tendered and supply a detailed description of the tendering process; and (7) in the case of any contract not tendered the reasons for not tendering. *December 10, 1987. Interim Answer* tabled December 22, 1987. Approximate date information available May 16, 1988.

70. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Government Services provide a detailed listing of all vacant provincially-owned lands under each Ministry; specifically, the location of the property, the lot size and acreage, and if available, proposed plans for the use of each site. *December 14, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available March 7, 1988.
71. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the cost for the new furniture and televisions for the office of all Ministers and their staff, as well as all members of the Legislature since June of 1985. *December 15, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available February 29, 1988.
72. *Mr McLean*—Enquiry of the Ministry—Would the Minister of Government Services provide the names and the costs of the two lowest tenders for supplying furniture and televisions for the offices of all Ministers and their staff, as well as all members of the Legislature since June of 1985 and provide the name of the one that received the contract. *December 15, 1987. Interim Answer* tabled December 29, 1987. Approximate date information available February 29, 1988.
74. *Mr Philip* (Etobicoke-Rexdale)—Enquiry of the Ministry—Would the Minister of Housing consider the request from Metro Council to the Province of Ontario that the Assessment Act be amended to exempt from taxation, property rented to churches where the church is liable for property taxes, under the terms of a lease and which had the church owned the property it would have received an exemption under the Act. Would the Minister inform the House when legislation might be introduced to correct the problem and does the Minister agree that there is discrimination under the present Assessment Act against those churches that rent property as compared to those who own property. Would the Minister also give a firm commitment that legislation will be introduced and if so, when will this legislation be introduced. *December 17, 1987.*
75. *Answered February 8, 1988.*
76. *Mr Cousens*—Enquiry of the Ministry—Would the Chairman of Management Board of Cabinet advise how many additional employees have been hired, as of December 31, 1987, either full-time or on contract with the implementation of Bill 8, the French Language Services Act, within the civil service of the Province of Ontario. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available March 29, 1988.

77. *Answered February 11, 1988.*
78. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table a list of all public opinion polls which have been commissioned since June 1985, the cost of conducting the survey, the date the survey will be or was completed, and the date the survey was or will be released. *January 7, 1988. Interim Answer* tabled February 8, 1988. Approximate date information available April 15, 1988.
79. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide the reasons for delaying for over two years the tabling of the Informetrica Report entitled “Possible Impacts of Free Trade on Canada, Ontario and Other Provinces” which was completed and presented to the Ministry in November 1985. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
80. *Mr Brandt*—Enquiry of the Ministry—Would each Minister provide a list of all reports prepared for, or commissioned by, the Ministry with respect to free trade, which have yet to be released, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
81. *Mr Brandt*—Enquiry of the Ministry—Would each Minister table all reports prepared for, or commissioned by, the Ministry with respect to free trade that have been withheld from the public of Ontario. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
82. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology provide a list of all reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988, indicating the author(s) of the reports, the dates the reports were completed, and the reasons why the reports have not been made public. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
- 83 and 84. *Answered February 11, 1988.*
85. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Industry, Trade and Technology table the reports to which he referred in responding to my initial question in the Legislature on Wednesday, January 6, 1988. *January 7, 1988. Interim Answer* tabled February 11, 1988. Approximate date information available April 15, 1988.
86. *Answered February 11, 1988.*
87. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Community and Social Services provide a list of those individuals/firms operating commercial day care spaces, indicating the number of spaces licensed and their

location, and in accordance with his statement of December 7, 1987, a list of those applicants for additional commercial day care spaces "in process in the Ministry's area offices" indicating the number of spaces applied for and their location. *January 7, 1988. Interim Answer* tabled February 8, 1988. Approximate date information available February 13, 1988.

88. *Mrs Marland*—Enquiry of the Ministry—Would the Minister of the Environment release an update report, using the most recent data available, to the "Ontario Ministry of the Environment Waste Site Inventories" which was originally released in July 1986 and contains unvalidated and outdated statistics from 1984. *February 9, 1988.*
89. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the number of assisted housing units available in Ontario, which of these are funded through, Federal, Provincial or Municipal programs and the dollar level of funding. *February 9, 1988.*
90. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing indicate how many new assisted housing units have been announced since she became Minister and how many of these will be ready for occupation by December 31, 1988. *February 9, 1988.*
91. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide a breakdown, by municipality, of the waiting list for assisted Housing in the Province. *February 9, 1988.*
92. *Mr Cousens*—Enquiry of the Ministry—Would the Minister of Housing provide an analysis of the number of individuals who will be added to the assisted housing waiting lists as a result of her announcement that low income singles and couples without children will be eligible for assisted housing. *February 9, 1988.*
93. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Northern Development indicate the costs incurred in establishing the Northern Heritage Fund which was announced in the April 1987 Throne Speech, a list of all projects approved for funding under the Fund, the amounts for each project and, the administration costs to date of this program. *February 9, 1988.*
94. *Mr Harris*—Enquiry of the Ministry—Would the Minister of Labour provide a report on the current television advertisements being run by the Workers' Compensation Board. Specifically, what is the total cost of this campaign, what medium are being used and who is the intended audience. *February 9, 1988.*
95. *Mr Brandt*—Enquiry of the Ministry—Would the Minister of Skills Development provide the following information with respect to the publication "Skills Ontario—Training: We can all profit from it". (1) Number of copies printed; (2) Total cost of booklets; (3) Cost per copy; (4) Distribution costs; (5) Target audience for publication. *February 10, 1988.*

96. *Mr Charlton*—Enquiry of the Ministry—Would the Minister of Energy table letters, petitions and briefs received and name deputations heard or planned with respect to Bill 82, An Act respecting Energy Efficiency. *February 11, 1988.*
97. *Mr Breaugh*—Enquiry of the Ministry—Would the Minister of Government Services list all lands owned by the provincial government and its agencies within the boundaries of Metropolitan Toronto, the Regional Municipality of Peel, the Regional Municipality of York, and the Regional Municipality of Durham. *April 5, 1988.*
98. *Mr Rae*—Enquiry of the Ministry—Would the Minister of Health provide the following information: (1) How many paid intern positions in public teaching hospitals have been set in Ontario for 1986, 1987, 1988. (2) How many residency positions in public teaching hospitals have been set in Ontario for 1986, 1987, 1988. (3) What are the average hours worked (a) in a week; and (b) in a month by (i) residents in public teaching hospitals; (ii) interns in public teaching hospitals; (iii) registered nurses; and (iv) other staff. *April 5, 1988.*
99. *Mr Rae*—Enquiry of the Ministry—Would the Minister of Labour provide, for the year 1987, what special permits for hours of work were issued to public teaching hospitals in Ontario under the Employment Standards Act. Please specify. Has the Ministry any estimate of average time worked by residents, interns, and nurses in Ontario's teaching hospitals. *April 5, 1988.*
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## PRIVATE MEMBERS' BUSINESS TO BE DEBATED

*(Precedence in accordance with the Standing Order 71 (d).)*

### Ballot Item No. 11

*Mr. Rae* (York South)—Resolution—That, in the opinion of this House, recognizing that more than one thousand Canadian workers are killed on the job in each year; and recognizing that hundreds of thousands more are injured on the job, thousands of whom are permanently disabled; and recognizing that thousands more suffer and die from disease caused by exposure to toxic substances at the workplace, and further recognizing, that the memories of the workers who have died and the suffering of the still-living victims must be honoured; therefore, the Government of Ontario should declare the 28th day of April in each year as a day of mourning and recognition for the victims of work-related injury and disease, to be observed by a minute of silence and the lowering of flags to half-mast. *To be debated on Thursday, April 7, 1988.*

### Ballot Item No. 12

*Mr Runciman*—Resolution—That, in the opinion of this House, the Government of Ontario should immediately implement the 1986 recommendation of the Standing Committee on the Legislative Assembly to provide that all Order-In-Council appointments be subject to review by a Committee of this Legislature. *To be debated on Thursday, April 7, 1988.*

### Ballot Item No. 13

*Mr. Kanter*—Resolution—That, in the opinion of this House, recognizing that organ transplants constitute a cost efficient medical practice that has saved lives and improved the quality of life for thousands of Ontario residents, and recognizing further that hundreds of Ontario residents wait desperately for organs that could give them a second chance at life, physicians should therefore be reminded, through their routine procedures, to consider whether a person who dies in a public hospital is a suitable organ donor and whether it is appropriate to approach the family of the deceased for consent to the transplant of any of the organs of the deceased, therefore the Government should amend the regulations under the *Public Hospitals Act* to require every public hospital to include questions similar to the following in any form required by the hospital to be completed by a physician to record the death of a patient in the hospital:

1. Has the patient been considered as an organ donor.
2. Are the wishes of the patient regarding donation of his or her organs known.
3. Are the wishes of the patient's family regarding the donation of the patient's organs known.

4. (a) Has consent for organ or tissue donation been obtained.

(b) If so, what organs or tissue have been donated.

*To be debated on Thursday, April 14, 1988.*

Ballot Item No. 14

*Miss Martel*—Resolution—That, in the opinion of this House, this Legislature condemns the Government of Ontario for its failure to establish the Northern Ontario Heritage Fund as outlined in the Budget of May 20, 1987 and in the Speech from the Throne of November 3, 1987 therefore this Legislature strongly urges the Government to:

- immediately establish the Northern Ontario Heritage Fund;
- ensure that Northerners, through committees representing Northern communities, labour, Native groups, women's groups and local small businesses, control the disbursement of the Fund; and
- provide substantial funding to help ensure long-term economic growth and diversification of the region.

*To be debated on Thursday, April 14, 1988.*

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## BILLS REFERRED TO STANDING COMMITTEES

## STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Bill Pr1, An Act respecting Canada Christian College and School of Graduate Theological Studies. *Mr Allen. (Referred November 18, 1987.)*

Bill Pr2, An Act to revive Big Cedar Association. *Mr Owen. (Referred February 8, 1988.)*

Bill Pr4, An Act respecting The Ottawa Civil Service Recreational Association. *Mr Chiarelli. (Referred November 16, 1987.)*

Bill Pr5, An Act respecting The Chartered Institute of Marketing Management of Ontario. *Ms Hart. (Referred February 8, 1988.)*

Bill Pr7, An Act respecting the Driving School Association of Ontario. *Mr Ferraro. (Referred November 9, 1987.)*

Bill Pr10, An Act respecting the Oshawa Public Utilities Commission. *Mr Breagh. (Referred December 3, 1987.)*

Bill Pr16, An Act respecting the City of Toronto. *Mr Kanter. (Referred December 8, 1987.)*

Bill Pr22, An Act respecting the City of Mississauga. *Mr Offer. (Referred December 17, 1987.)*

Bill Pr24, An Act respecting the Hamilton Civic Hospitals. *Ms Collins. (Referred December 7, 1987.)*

Bill Pr25, An Act respecting Kingsway General Insurance Company. *Mr Cousens. (Referred December 9, 1987.)*

Bill Pr27, An Act respecting the Ontario Municipal Management Institute. *Mr Campbell. (Referred December 22, 1987.)*

Bill Pr29, An Act respecting The United Church of Canada and The Canada Conference The Evangelical United Brethren Church. *Mr Epp. (Referred February 8, 1988.)*

Bill Pr30, An Act respecting The General Hospital of Port Arthur. *Mr Kozyra. (Referred December 3, 1987.)*

Bill Pr34, An Act to revive Machin Mines Limited. *Mr Kanter. (Referred February 9, 1988.)*

Bill Pr37, An Act respecting the University of Western Ontario. *Mr Reycraft. (Referred December 22, 1987.)*

Bill Pr38, An Act to revive Prow Yellowknife Gold Mines Ltd. *Mr Kanter.*  
(*Referred February 9, 1988.*)

Bill Pr49, An Act to revive Lebon Gold Mines Limited. *Mr Kanter.*  
(*Referred February 8, 1988.*)

Bill Pr56, An Act respecting the City of Toronto. *Mr Kanter.* (*Referred  
November 30, 1987.*)

Bill Pr62, An Act respecting The Windsor Utilities Commission. *Mr Ray*  
(*Windsor-Walkerville.*) (*Referred December 21, 1987.*)

Bill Pr67, An Act respecting the City of Hamilton. *Mr Charlton.* (*Referred  
December 3, 1987.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Bill 13, An Act respecting Environmental Rights in Ontario. *Mrs Grier.*  
(*Referred December 10, 1987.*)

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## STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Bill 50, An Act to provide for Community Mental Health Services. *Mr  
Reville.* (*Referred December 17, 1987.*)

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## MATTERS REFERRED TO SELECT COMMITTEES

### SELECT COMMITTEE ON EDUCATION

Consider and report on the role of the formal elementary and secondary  
school system in the successful transition of young students to adulthood in Ontario.  
(*Referred by Order of the House on February 11, 1988.*)

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### SELECT COMMITTEE ON ENERGY

Consider and report on Ontario Hydro Affairs. (*Referred by Order of the  
House on February 11, 1988.*)

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## SELECT COMMITTEE ON CONSTITUTIONAL REFORM

Consider and report on the 1987 Constitutional Accord (Sessional Paper No. 74), and matters related thereto. (*Referred by Order of the House on November 30, 1987.*)

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## MATTERS REFERRED TO STANDING COMMITTEES

*(In accordance with the Standing Orders, statutory annual reports of each ministry and of all agencies, boards and commissions reporting to each Minister for the immediate past reporting period stand permanently referred to the appropriate Standing Committees.)*

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## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Consider and report on the Canada-U.S. Free Trade Agreement (Sessional Paper Number 108). (*Referred by Order of the House on January 7, 1988.*)

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## STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Consider and report on Safety in Ontario Mines. (*Referred by Order of the House on January 7, 1988.*)

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## COMMITTEE MEETINGS

The Standing Committee on the Legislative Assembly will meet to consider matters relating to the Election Act as follows:

Wednesday, 6 April	3.30 p.m.	Room No. 228
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The Standing Committee on Public Accounts will meet to review the 1987 Annual Report of the Provincial Auditor as follows:

Thursday, 7 April	10.00 a.m.	Room No. 151
Section 2.2		
The Estimates Process—Maligned and Ineffective		

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The Standing Committee on Regulations and Private Bills will meet to consider the regulatory process, as follows:

Wednesday, 6 April	10.00 a.m.	Room No. 1
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The Select Committee on Constitutional Reform will meet as follows:

Wednesday, 6 April	9.30 a.m. and following Routine Proceedings	Room No. 151
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## ESTIMATES

TOTAL HOURS FOR CONSIDERATION OF  
ALL ESTIMATES ..... 381 hrs., 30 mins.

### IN COMMITTEE OF SUPPLY

(Estimates to be taken in order shown)

1. Lieutenant Governor,  
Premier and Cabinet Office ..... 7 hrs., 30 mins.
2. Government Services ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 2)‡
3. Intergovernmental Affairs ..... 7 hrs., 30 mins.
4. Management Board of Cabinet ..... 7 hrs., 30 mins.
5. Revenue ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
6. Francophone Affairs ..... 7 hrs., 30 mins.

### IN STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

(Estimates to be taken in order shown)

1. Treasury and Economics ..... (Completed Tuesday, December 8, 1987)
2. Energy ..... 5 hrs., 54 mins.  
(Includes supplementaries, Number 1)†  
(Adjourned at Vote 1301, Item 1)
3. Attorney General ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†  
(Includes supplementaries, Number 2)‡
4. Consumer and Commercial Relations ..... 7 hrs., 30 mins.  
(Includes supplementaries, Number 1)†
5. Correctional Services ..... 7 hrs., 30 mins.
6. Financial Institutions ..... 7 hrs., 30 mins.
7. Office Responsible for  
Native Affairs ..... 7 hrs., 30 mins.
8. Solicitor General ..... 7 hrs., 30 mins.

†Supplementary Estimates Number 1 Tabled November 23, 1987.

‡Supplementary Estimates Number 2 Tabled February 5, 1988.

## IN STANDING COMMITTEE ON GENERAL GOVERNMENT

(Estimates to be taken in order shown)

1. Labour ..... 3 hrs., 06 mins.  
(Adjourned at Vote 2101, Item 1)
2. Northern Development ..... 7 hrs., 30 mins.
3. Office Responsible for  
Women's Issues ..... 7 hrs., 30 mins.

## IN STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

(Estimates to be taken in order shown)

1. Office of the Assembly ..... 5 hrs.  
(Includes supplementaries, Number 1)<sup>†</sup>
2. Office of the  
Chief Election Officer ..... 5 hrs.

## IN STANDING COMMITTEE ON THE OMBUDSMAN

(Estimates to be taken in order shown)

1. Office of the Ombudsman ..... 5 hrs.  
(Includes supplementaries, Number 1)<sup>†</sup>

## IN STANDING COMMITTEE ON PUBLIC ACCOUNTS

(Estimates to be taken in order shown)

1. Office of the Provincial Auditor .. (Completed Thursday, December 17, 1987)

<sup>†</sup>Supplementary Estimates Number 1 Tabled November 23, 1987.

## IN STANDING COMMITTEE ON RESOURCES DEVELOPMENT

(Estimates to be taken in order shown)

1. Industry, Trade and Technology . *(Completed Thursday, December 10, 1987)*
2. Housing ..... *(Completed Thursday, December 17, 1987)*
3. Environment ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
4. Agriculture and Food ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
5. Mines ..... 7 hrs., 30 mins.
6. Municipal Affairs ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*  
*(Includes supplementaries, Number 2)‡*
7. Natural Resources ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
8. Tourism and Recreation ..... 7 hrs., 30 mins.
9. Transportation ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
10. Industry, Trade and Technology ..... —  
*(Supplementaries only, Number 2)‡*
11. Housing ..... —  
*(Supplementaries only, Number 2)‡*

†Supplementary Estimates Number 1 Tabled November 23, 1987.

‡Supplementary Estimates Number 2 Tabled February 5, 1988.

## IN STANDING COMMITTEE ON SOCIAL DEVELOPMENT

(Estimates to be taken in order shown)

1. Skills Development ..... *(Completed Thursday, December 10, 1987)*
2. Office for Disabled Persons ..... *(Completed Thursday, December 17, 1987)*
3. Education ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 2)‡*
4. Office Responsible for  
Senior Citizens' Affairs ..... 7 hrs., 30 mins.
5. Citizenship ..... 7 hrs., 30 mins.
6. Colleges and Universities ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*
7. Community and Social Services ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*  
*(Includes supplementaries, Number 2)‡*
8. Culture and Communications ..... 7 hrs., 30 mins.
9. Health ..... 7 hrs., 30 mins.  
*(Includes supplementaries, Number 1)†*  
*(Includes supplementaries, Number 2)‡*
10. Skills Development ..... —  
*(Supplementaries only, Number 1)†*
11. Office for Disabled Persons ..... —  
*(Supplementaries only, Number 1)†*

†Supplementary Estimates Number 1 Tabled November 23, 1987.

‡Supplementary Estimates Number 2 Tabled February 5, 1988.









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